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2002

BY-LAWS OF THE CITY OF
HAMILTON

02-191 ...

Authority: Item 11, Hearings Sub-Committee
Report 02-024 (PD02134)
CM: July 10, 2002

Bill No. 191

CITY OF HAMILTON

BY-LAW NO. 02-191

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 132 Dundas Street East (Flamborough)
Owned by Todd and Debbie Osborne**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

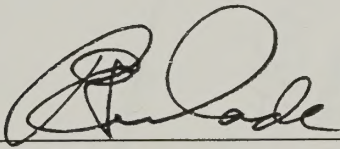
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A-30" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing from the Institutional Holding Zone "I-5 (H)" to Institutional Zone "I-5" by removing the suffix "H" for those lands located at 132 Dundas Street East more particularly shown on Schedule "A" which forms part of this By-law.
2. All other regulations of Section 22- Institutional Zone, "I-5", as amended and the

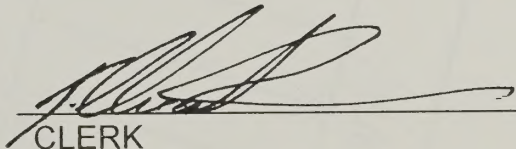
General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

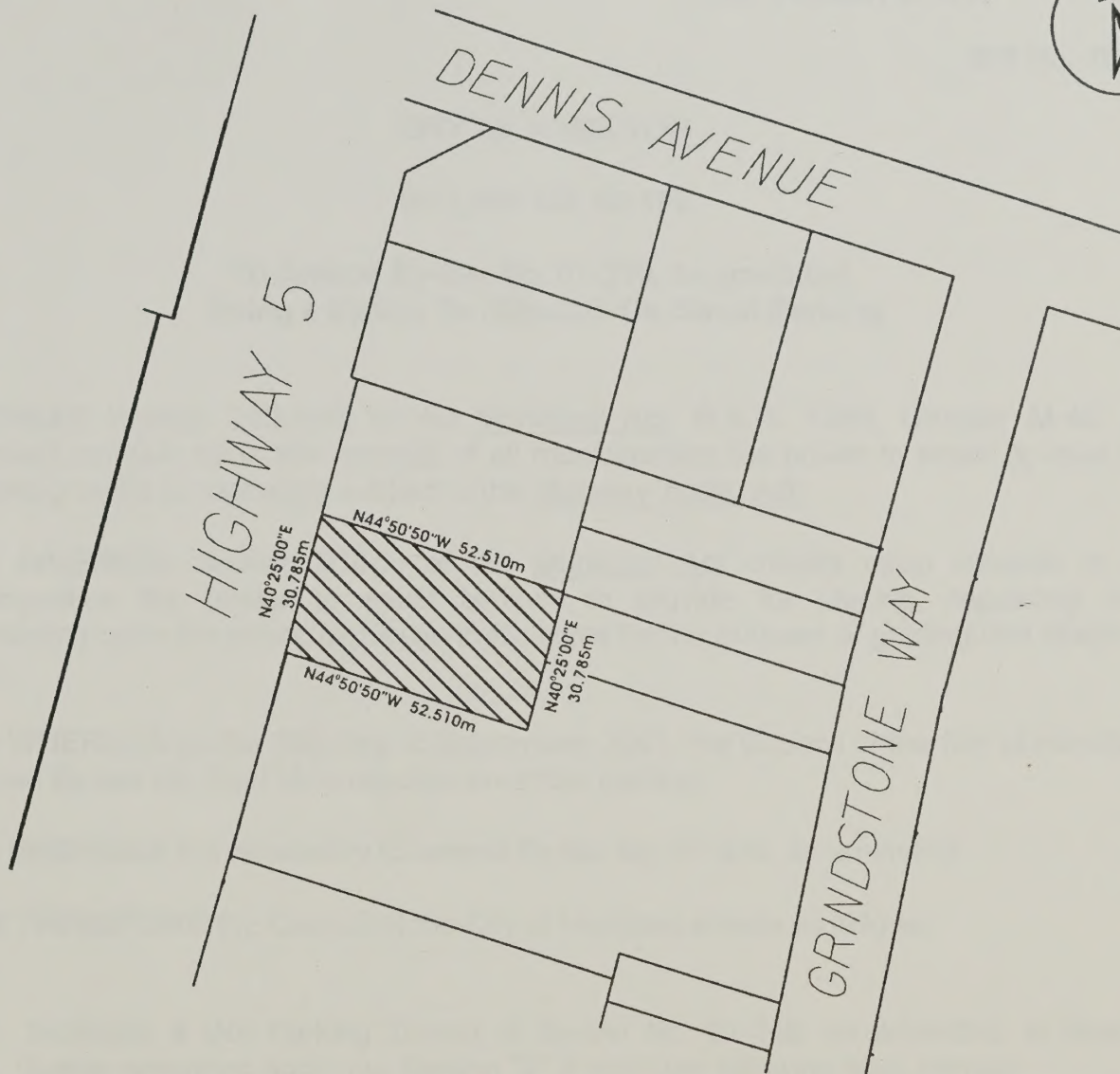
PASSED and ENACTED this 10th day of July, 2002 .



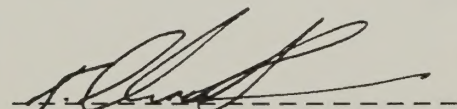
MAYOR

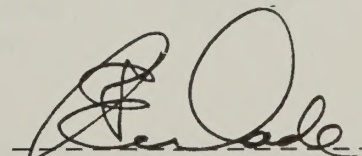


CLERK



This is Schedule "A" to By-Law No. 02 - 191.....
Passed the 10th day of July, 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02-191
to Amend By-Law No. 90-145-2

Planning and Development Department

Legend



Subject Property
Change in zoning to remove
the Holding "H" Symbol from
132 Dundas Street East

North



Scale
NOT TO SCALE

Date
June 18, 2002

Reference File No.
ZAR-02-46

Drawn By
NM



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CITY OF HAMILTON

BY-LAW NO. 02-192

To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended adding to Section "E" thereof the following item, namely:

"Garfield	East	commencing at the northerly limit thereof and extending 7m southerly therefrom	Anytime"
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2. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Grosvenor	East	commencing 27m north of Cannon and extending 6.4m northerly therefrom	Anytime
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Grosvenor	West	commencing 37.8m north of Cannon and extending 6.4m northerly therefrom	Anytime
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Harvey	South	commencing 21.4m east of Stirton and extending 3.9m easterly therefrom	Anytime
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Gibson	East	commencing 167m south of Barton and extending 5.6m southerly therefrom	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"MacNab	East	commencing 56 feet north of Macauley and extending 18 feet northerly therefrom	Anytime
Grosvenor	West	commencing 124 feet north of Cannon and extending 21 feet northerly therefrom	Anytime
Keith	North	commencing 164 ft. east of Douglas and extending to a point 21 ft. easterly therefrom	Anytime"

3. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding Section "E" thereof the following items, namely:

"Wilson	North	West to 33.2m easterly therefrom	Anytime
Fairholt	East	Main to 32.6m northerly therefrom	Anytime"

and by adding to Section "F" thereof the following items, namely:

"Gray Rd.	Both	Highway 8 to Collegiate Ave.	7:00 a.m. - 6:00 p.m. Monday to Saturday
Gray Rd.	West	Highway 8 to 75.4m southerly	Anytime
Gray Rd.	East	Highway 8 to 67m southerly	Anytime
Gray Rd.	West	Collegiate Ave. to 16.4m southerly	Anytime
Collegiate Ave.	North	Gray Rd. to 25.2m westerly	Anytime
Collegiate Ave.	South	Gray Rd. to 15.2m westerly	Anytime"

and by adding to Section "G" thereof the following items, namely:

"Main	South	Hughson to Fairleigh	Mon. - Fri. 4:00 p.m. - 6:00 p.m.
Main	South	Fairleigh to Sherman	Mon. - Fri. 4:00 p.m. - 6:00 p.m."

and by deleting from Section "G" thereof the following item, namely:

"Main	South	Hughson to Faileigh	Mon. - Fri. 4:00 p.m. - 6:00 p.m."
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4. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Strathcona	East	From 86.3m south of King to 6.1m southerly	9:00 a.m. - 7:00 p.m. Monday to Friday
Stirton	West	From 34.4m south of Cannon to 8m southerly	7:00 a.m. - 6:00 p.m. Monday to Saturday
Aikman	North	From 87m west of Sanford to 8m westerly	Anytime
Roxborough	North	From 51.9m east of Frederick to 7.3m easterly	Anytime"

and by deleting from Section "E" thereof the following item, namely:

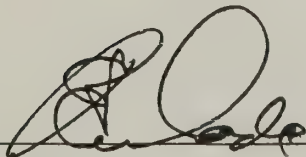
"San Remo East 16 feet 92 feet south of Agro Anytime"

5. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

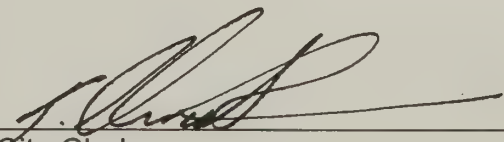
"East 37th East 155 ft. 324 ft. north of
Seventh 7:00 a.m. - 6:00 p.m.
Monday to Saturday"

6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of July, 2002.



Mayor



City Clerk

CITY OF HAMILTON

BY-LAW NO. 02-193

A By-law to authorize the issue of Debentures in the principal amount of \$60,000,000 for the purposes of the City of Hamilton herein referred to.

WHEREAS the Council of the City of Hamilton (the "City") has authorized the works described in Schedule "A" attached hereto;

AND WHEREAS it is now deemed necessary to raise the money required to pay part of the cost of the said works by the issue and sale of serial debentures in aggregate principal amount of \$60,000,000 (the "Debentures") bearing interest at the rates hereinafter set out and maturing in varying instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$60,000,000 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated July 12, 2002, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on July 12 in each of the years 2003 to 2017, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on January 12 and July 12 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such

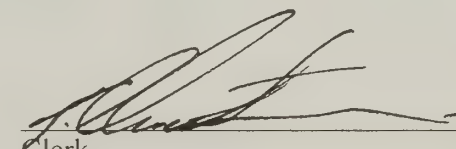
definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 10th day of July, 2002.



Mayor



Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO. 02-193

TERM: 15 YEARS

(1)	(2)	(3)	(4)	(5)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	PERMITTED REFINANCING LIMITS (\$)	DEBENTURES TO BE ISSUED (\$)
2001 Projects				
Roads (3 yr. Capital Avg.)	15	Item 3.1. c to e	16,794,000	16,541,000
Downtown Initiatives	15	FCS01042/1042(b)	1,500,000	1,500,000
Brampton Street Landfill Remediation	15	Committee of the	500,000	500,000
Reconstruction of Wentworth Lodge Phase 2 to 4	15	Whole Report	949,000	949,000
Fire - Station #1	15	approved by Council	1,500,000	1,500,000
Rennie Street Landfill Remediation	15	12-Jun-01	9,900,000	4,900,000
SubTotal			31,143,000	25,890,000
WIPS				
New Station #9 Design and Construction - 2000	15	Item 28. n	2,370,000	2,000,000
New Station #10 Design and Construction - 2000	15	FCS02036	1,750,000	1,750,000
Station #1 - Renovate and Refurbish - 2000	15	Committee of the	500,000	500,000
Annual Resurfacing Program 2000	15	Whole Report	16,510,000	6,676,000
Subtotal		approved by Council	21,130,000	10,926,000
Area Municipality WIPS		23-May-02		
Stoney Creek Town Square (Jones & King) - 1999	15	Item 28. n	3,771,000	880,000
Stoney Creek Margaret Hwy #8 - Millen - 1999	15	FCS02036	120,000	120,000
Subtotal		Committee of the	3,891,000	1,000,000
2002 Projects		approved by Council		
Claremont Access	15	23-May-02	6,500,000	4,365,000
Expressway				
	15	Item 28. p	79,100,000	17,819,000
		FCS02036		
		Committee of the		
		Whole Report		
		approved by Council		
		23-May-02		
Total Schedule A			141,764,000	60,000,000

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 02-193

Year	Interest Rate (%)	Principal (\$) July 12	Interest (\$) January 12	Interest (\$) July 12	Total Annual Payment (\$)
2003	3.400	2,627,000.00	1,662,946.50	1,662,946.50	5,952,893.00
2004	4.100	2,778,000.00	1,618,287.50	1,618,287.50	6,014,575.00
2005	4.550	2,938,000.00	1,561,338.50	1,561,338.50	6,060,677.00
2006	4.900	3,107,000.00	1,494,499.00	1,494,499.00	6,095,998.00
2007	5.150	3,286,000.00	1,418,377.50	1,418,377.50	6,122,755.00
2008	5.350	3,475,000.00	1,333,763.00	1,333,763.00	6,142,526.00
2009	5.550	3,674,000.00	1,240,806.75	1,240,806.75	6,155,613.50
2010	5.700	3,886,000.00	1,138,853.25	1,138,853.25	6,163,706.50
2011	5.800	4,109,000.00	1,028,102.25	1,028,102.25	6,165,204.50
2012	5.850	4,345,000.00	908,941.25	908,941.25	6,162,882.50
2013	5.950	4,595,000.00	781,850.00	781,850.00	6,158,700.00
2014	6.000	4,860,000.00	645,148.75	645,148.75	6,150,297.50
2015	6.050	5,139,000.00	499,348.75	499,348.75	6,137,697.50
2016	6.100	5,434,000.00	343,894.00	343,894.00	6,121,788.00
2017	6.200	<u>5,747,000.00</u>	<u>178,157.00</u>	<u>178,157.00</u>	6,103,314.00
TOTAL		<u>\$60,000,000.00</u>	<u>\$15,854,314.00</u>	<u>\$15,854,314.00</u>	<u>\$91,708,628.00</u>

Bill No. 194

CITY OF HAMILTON

BY-LAW NO. 02-194

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

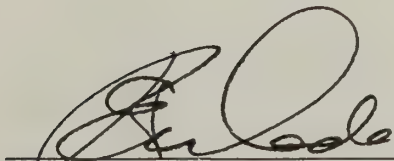
AND WHEREAS it is necessary to amend By-law No. 01-215;

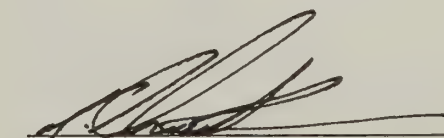
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Westlawn Northbound Krieghoff"
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of July, 2002


MAYOR


CLERK

Bill No. 195

CITY OF HAMILTON

BY-LAW NO. 02-195

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

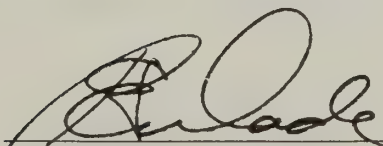
AND WHEREAS it is necessary to amend By-law No. 01-215;

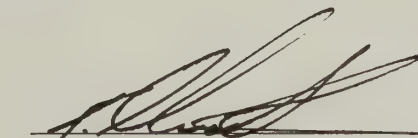
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Nature	Northbound	Brigadoon"
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2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10TH day of July, 2002


MAYOR


CLERK

Bill No. 196

CITY OF HAMILTON

BY-LAW NO. 02-196

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

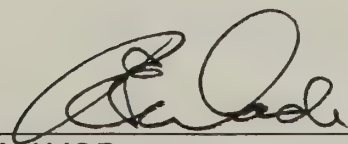
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 13 (Designated Traffic Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "G" thereof the following item, namely:

"Main Whitney to 70 metres South of Whitney	East curb lane	Anytime, Buses Excepted	Northerly to " Easterly
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2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of July, 2002


MAYOR


CLERK

Bill No. 197

CITY OF HAMILTON

BY-LAW NO. 02-197

**To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Alberton Rd.	Wilson St.	Book Rd.	70 km/h
Book Rd.	Trinity Rd.	Ferguson Rd.	70 km/h"

and by deleting from Section "A" thereof the following items, namely:

"Jerseyville Rd	Highway No. 2	The line between lots 38 and 39	60 km/h
Jerseyville Rd	Jerseyville Side Rd	point 300 ft east of the line Between Lots 18 and 19	60 km/h"

And by adding to Section "G(2)" thereof the following item, namely:

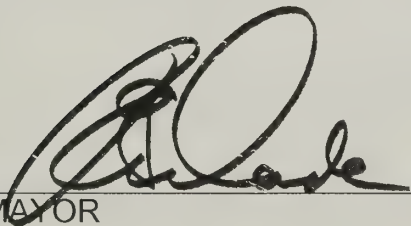
Jerseyville Rd.	Highway 52	Stevenson	60 km/h"
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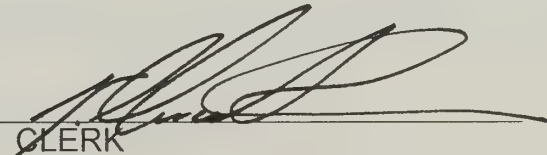
and by deleting from Section "G(2)" thereof the following items, namely:

Jerseyville King's Hwy. 52 Martins Road 60 km/h"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of July, 2002


MAYOR


CLERK

Bill No. 198

CITY OF HAMILTON

BY-LAW NO. 02-198

**To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

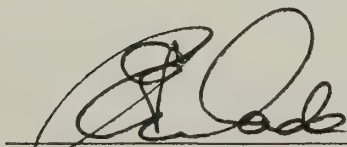
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Birchview	Eastbound and westbound	Bacall
Limeridge	Eastbound and westbound	Berrisfield (east leg)"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of July, 2002



MAYOR



CLERK

Bill No. 199

City of Hamilton

BY-LAW No. 02-199

Respecting:

Lots 12 to 27, inclusive – Plan 62M-951
“Gardens of Rymal – Phase 6”

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

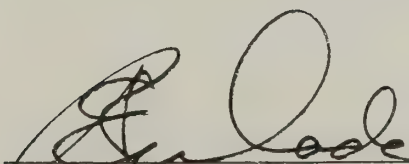
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights of encroachment, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Lots 12 to 27, inclusive, Plan 62M-951, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: July 10, 2003.

PASSED this 10th day of July 2002.


MAYOR


CITY CLERK

Authority: Item 1, Hearings Sub-Committee
Report 02-022 (PD02111)
CM: July 10, 2002

Bill No. 200

CITY OF HAMILTON

BY-LAW NO. 02-200

To Adopt:

Official Plan Amendment No. 177 to the Former City of Hamilton Official Plan;

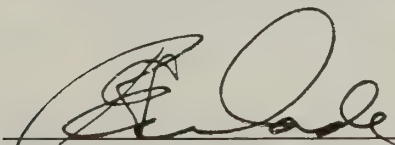
Respecting:

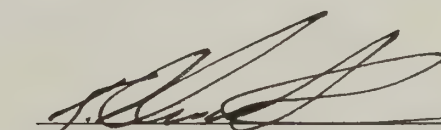
648 King Street West

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 177 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 10th day of July 2002


MAYOR


CLERK

SCHEDULE "1"

Amendment No. 177

to the

Official Plan of the Former City of Hamilton

The following text together with Schedule "A" – Land Use Concept, and Schedule "B" – Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 177.

Purpose:

The purpose of this Amendment is to re-designate a portion of the property at No. 648 King Street West from "Residential" to "Commercial" and to designate the lands as a site specific "Commercial" designation to restrict the site to limited commercial uses. A manual, automatic or coin-operated car wash will not be permitted.

Location:

The lands affected by this Amendment are located at No. 648 King Street West.

Basis:

The basis for permitting the redesignation to commercial and the creation of a site specific amendment is as follows:

- 1) The northern portion of the subject lands are currently used for commercial uses and the proposal provides for the comprehensive redevelopment of these lands in accordance with the City's requirements for landscaping, fencing and engineering standards with respect to grading, drainage and on-site vehicular circulation;
- 2) the proposed commercial development would be compatible with the existing commercial uses to the east and west;
- 3) the proposal provides for adequate buffering (visual barrier and landscaped planting strip); and,
- 4) it has good access to a major arterial roadway (i.e. King Street West and Dundurn Street North); and,
- 5) The proposal is compatible with the surrounding land use pattern.

Actual Changes:

- 1) Schedule "A" – Land Use Concept – be revised by redesignating the subject lands,

located at 648 King Street West, from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment;

- 2) Schedule "B" – Special Policy Areas – be revised by adding the subject lands as Special Policy Area 86, as shown on the attached Schedule "B" of this Amendment; and,
- 3) The following new policy be added to Subsection A.2.9.3 – Other Policy Areas as Policy A.2.9.3.81 :

"Notwithstanding the permitted uses set out in Subsection A.2.2 – Commercial Uses, for those lands shown on Schedule "B-1" as SPECIAL POLICY AREA 86, and located north of King Street West and west of Dundurn Street North, limited commercial uses shall be permitted. A manual, automatic or coin-operated car wash shall not be permitted.

Implementation:

A Zoning By-law amendment and Site Plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 02-200, passed on the 10th day of July, 2002.

The City of Hamilton



Mayor

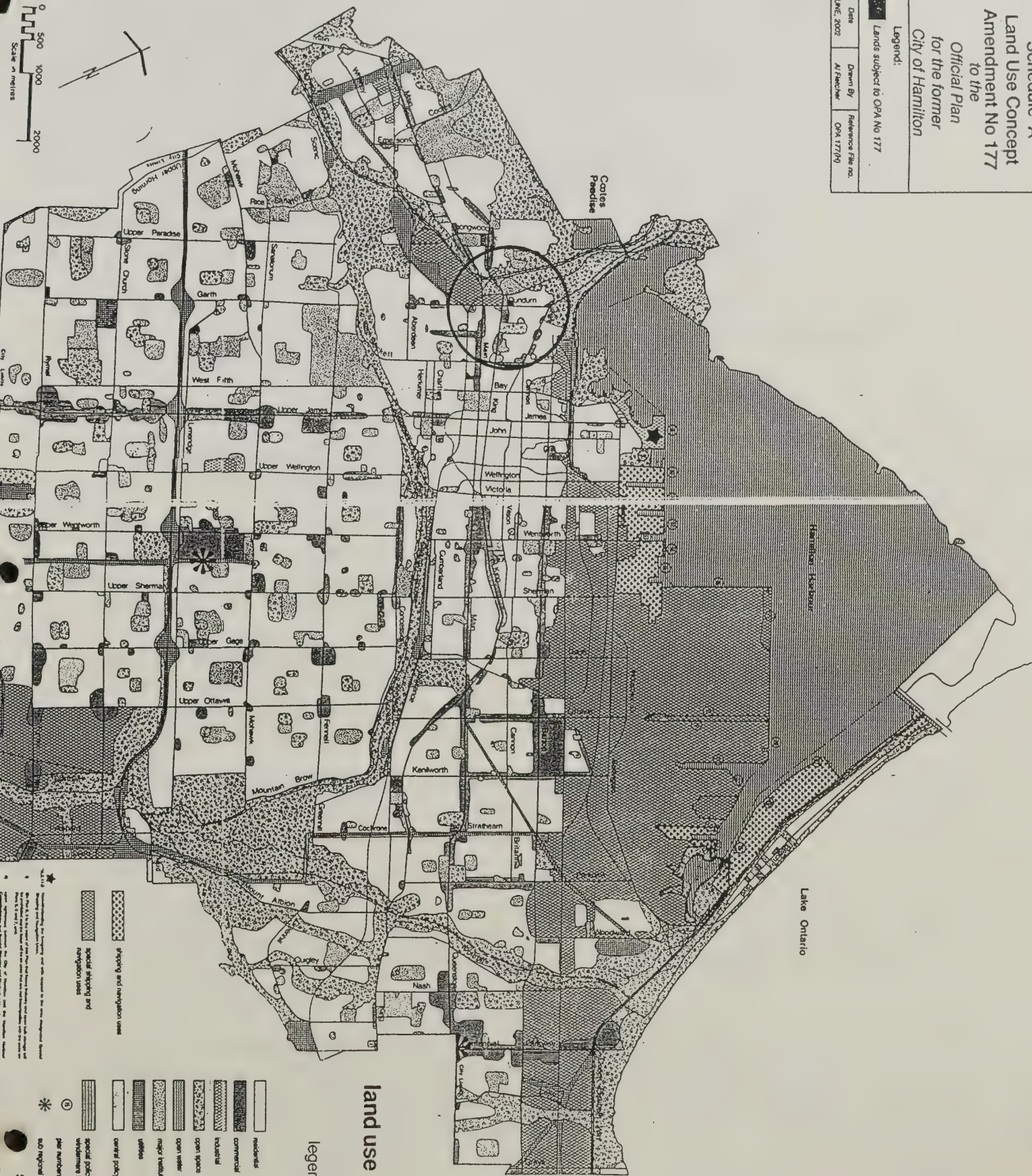
Clerk

Schedule A
Land Use Concept
Amendment No 177
to the
Official Plan
for the former
City of Hamilton

Legend:

Lands subject to OPA No 177

Date	Drawn By	Reference File no.
JUNE, 2002	A. Fletcher	OPA 177 (M)



land use concept

legend

- residential
- commercial
- industrial
- open spaces
- open water
- major institutional
- offices
- general policy area
- special policy area
- wilderness lands
- park numbers
- sub-regional centres
- shipping and navigation uses
- special shipping and navigation uses

CITY OF HAMILTON

BY-LAW NO. 02-201

To Amend Zoning By-law No. 06593
Respecting Lands Located at 648 King St. W. and 17 – 21 Dundurn St. N.
Owned by Imperial Oil Limited

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 1 of Report 02-022 of the Hearings Sub Committee at its meeting held on the 19th day of June, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No.177 proposed by the Corporation of the City of Hamilton as By-law No. 02-200, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

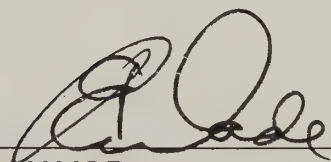
1. Sheet No. W-22 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "D" (Urban Protected Residential – One and Two Family, etc.) District to "H" (Community Shopping and Commercial, etc.) District, the lands comprised in Block "1"

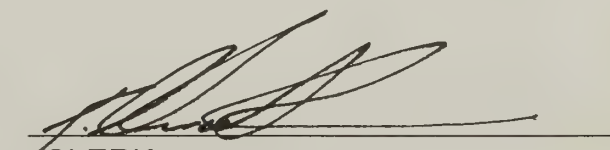
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 (City of Hamilton), applicable to the lands comprised in Block "1", be modified to include the following variances as special requirements:
 - (a) That notwithstanding Subsection 18.(3)(ivc)(c) of Zoning By-law No. 6593, a visual barrier of not less than 2.0 metres in height and not greater than 3.0 metres in height shall be erected and maintained within the required planting strip adjacent to the westerly limits of Block "1", except that the visual barrier shall not be less than 1.2 metres in height and not more than 2.0 metres in height within a distance of 3.0 metres from the northerly limits of Block "1";
 - (b) That notwithstanding Subsection 18.(3)(ivc)(c) of Zoning By-law No. 6593, a visual barrier of not less than 1.2 metres in height and not greater than 2.0 metres in height shall be erected and maintained within the required planting strip adjacent to the northerly limits of Block "1"; and,
 - (c) No vehicular access to or egress from Hunt Street shall be permitted;
3. That the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 (City of Hamilton), applicable to Block "2", be modified to include the following variances as special requirements:
 - (a) That notwithstanding Subsection 18.(3)(ivc)(a) of Zoning By-law No. 6593, a minimum building setback of 5.0 metres shall be provided and maintained from the northerly limits of Block "2";
 - (b) That notwithstanding Subsection 18.(3)(ivc)(c) of Zoning By-law No. 6593, a visual barrier of not less than 2.0 metres in height and not greater than 3.0 metres in height shall be erected and maintained along the northerly limits of Block "2" for that portion of the lot line abutting a residential district or use;

4. That the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:
- (a) That notwithstanding Subsection 14.(1)(xvii) of Zoning By-law No. 6593, the following uses shall be prohibited:
- (i) a manual car wash,
 - (ii) a mechanical car wash;
 - (iii) a coin-operated car wash; and,
 - (iv) a high-speed car wash;
- (b) That notwithstanding Subsection 18A(1)(d) and Table 4 of Subsection 18A, one loading space of at least 9.0 m x 3.5 m x 4.3 m shall be provided and maintained.
5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in sections 1, 2, 3 and 4.
6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1463.
7. Sheet No. W-22 of the District Maps are amended by marking the lands referred to in sections 1, 2, 3, and 4 of this by-law, S-1463.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of July, 2002.

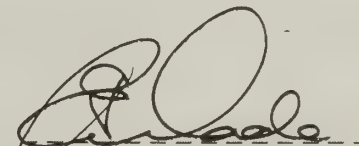

MAYOR


CLERK



This is Schedule "A" to By-Law No. 02 - 201.....
 Passed the 10th day of July, 2002


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02- 201
 to Amend By-Law No. 6593

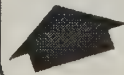
Planning and Development Department

Subject Property

648 King St W., 17, 19 & 21 Dundurn St N.
 Change from "D" (Urban Protected
 Residential - One and Two Family) District
 to "H" (Community Shopping and
 Commercial, etc.) District, modified.



Modification to the established "H"
 (Community Shopping and Commercial,
 etc.) District

	Scale	Reference File No.
	NOT TO SCALE	ZA-02-23
Date	Drawn By	
June 24, 2002	LM	

Authority: Item 2, Hearings Sub-Committee
Report 02-012 (PD02065)
CM: July 10, 2002

Bill No. 202

CITY OF HAMILTON

BY-LAW NO. 02-202

To Adopt:

Official Plan Amendment No. 94 to the former City of Stoney Creek Official Plan;

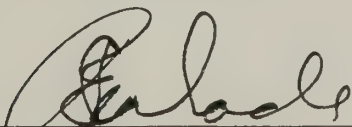
Respecting:

358 Winona Road and Block 112 "Foothills of Winona"

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 94 to the Official Plan of the City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 10th day of July, 2002



MAYOR



CLERK

Amendment No. 94
to the
Official Plan for the former City of Stoney Creek

The following text together with Schedules “A” and “A2”, attached hereto, constitute Official Plan Amendment No. 94

Purpose:

The purpose of this Amendment is to allow medium density residential to be permitted within the Winona Urban Area.

Location:

The lands affected by this Amendment are located 358 Winona Road and Block 112 within the registered subdivision “Foothills of Winona”.

Basis:

It is proposed that through this amendment, medium density residential housing units will be permitted within the Winona Urban Boundary, based on the policies in the Official Plan encouraging a range of housing types and compact urban form.

Actual Changes:

- 1) Schedule “A” be revised by adding the subject lands as OPA No. 94 as shown on the Schedule “B” to this amendment.
- 2) Schedule “A2” be revised by adding the subject lands as OPA No. 94 as shown on the Schedule “C” to this amendment as Medium Density Residential.
- 3) Amend section 13.2 – THE WINONA URBAN COMMUNITY – SECONDARY PLAN to create a new sub-section 13.2.3.1 as follows:

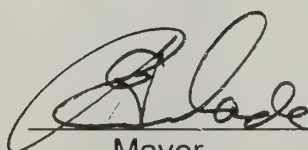
“Notwithstanding Section 13.2.3, the lands shown on Schedule “A2” O.P.A. 94, which consist of 2.5 hectares (6.3 acres) shall permit Medium Density Residential units.”

Implementation:

An implementing Zoning By-Law Amendment and site plan control will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 02- 202, passed on the 10th day of July, 2002

The
City of Hamilton



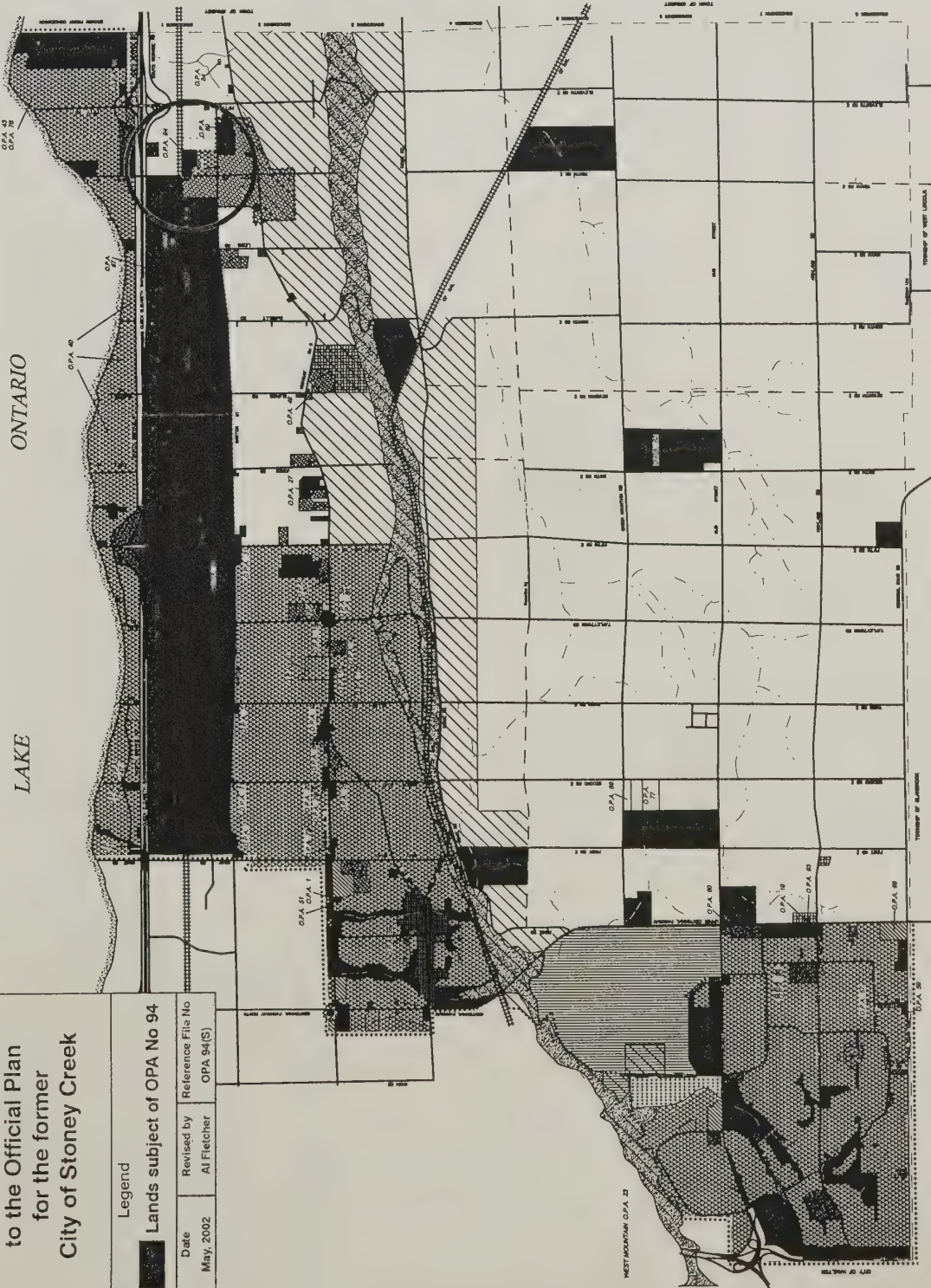
Mayor

City Clerk

Schedule A
Amendment No 94
to the Official Plan
for the former
City of Stoney Creek

Legend

Lands subject of OPA No 94	
Date	Reference File No
May, 2002	OPA 94(S)
Revised by	
Al Fletcher	



CITY OF STONEY CREEK
OFFICIAL PLAN
Schedule "A"
General Land Use Plan

Legend	
Land Use Designations	
Residential	Special Policy Area 'A'
Central Area	Special Policy Area 'B'
Shopping Centres	Special Policy Area 'C' (West Mountain Core Area)
General Commercial	Municipal Boundary
Highway Commercial	Business Improvement Area (B.I.A.)
Service Commercial	Provincial Highway
Industrial - Business Park	Regional Road
Institutional	Municipal Road
Winona Urban Community	Railway
Open Space	Water Course
Escapment Natural Area	Urban Policy Area
Agricultural	O.P.A. Official Plan Amendment
Rural Industrial	Sub-Regional Centre
Rural Lakeshore	



CITY OF STONEY CREEK
OFFICIAL PLAN
SCHEDULE "A"
GENERAL LAND USE PLAN
UPDATED MAY 13, 2002

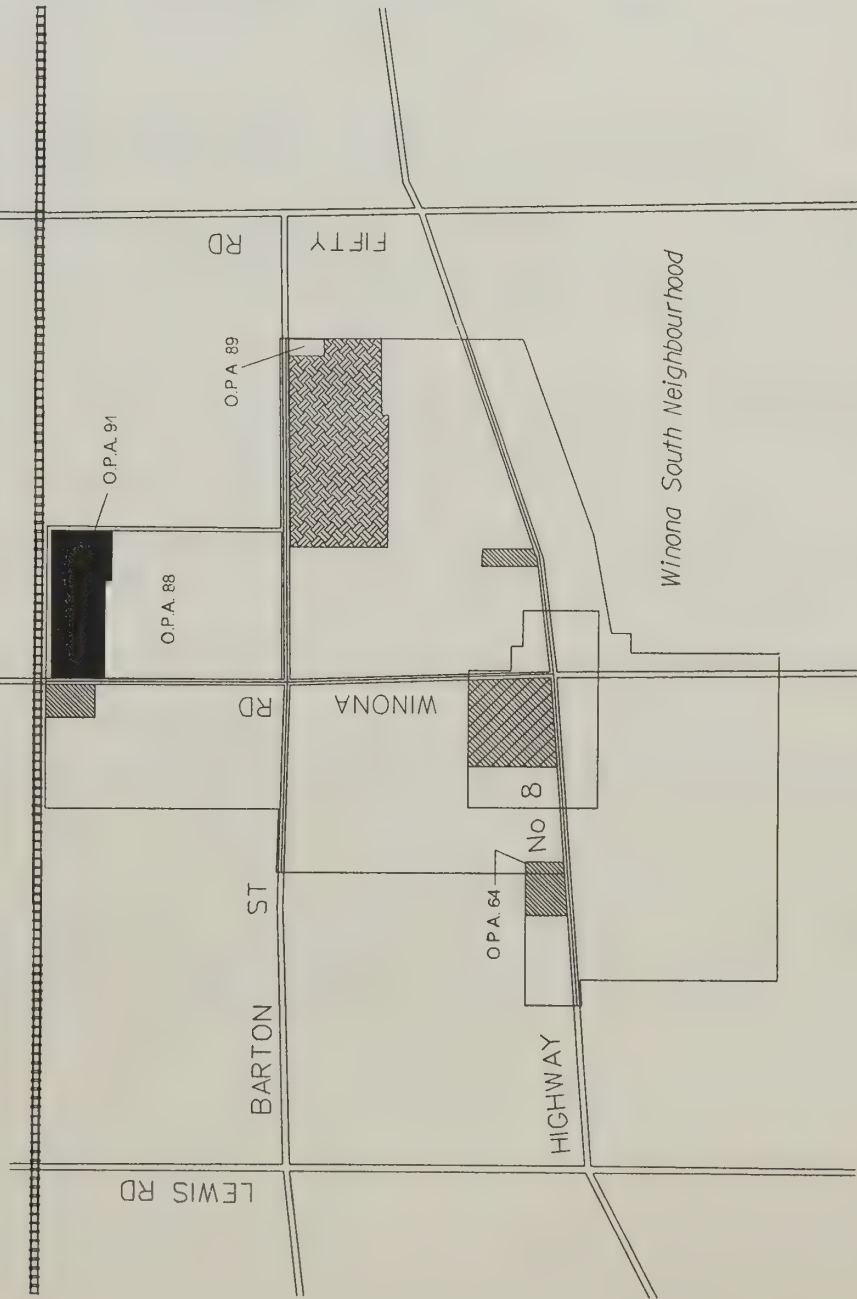
Schedule A2 Amendment No 94 to the Official Plan for the former City of Stoney Creek

Legend

Redesignate from:
[Redacted] Low Density Residential to
 Medium Density Residential

Date	Revised by	Reference File No
May 13, 2002.	AlFletcher	OPA 94(S)

NORTH SERVICE RD
 QUEEN ELIZABET
 WAY
 SOUTH SERVICE RD



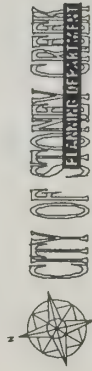
CITY OF STONEY CREEK OFFICIAL PLAN Schedule "A2" Secondary Plan Winona Urban Community

Legend

Land Use Designations

- Low Density Residential
- General Commercial
- Elementary School
- Open Space - Community Park
- District Boundary
- Winona Centre Boundary
- Collector Road
- Arterial Road

* Land use designations apply only to the lands within the Winona Urban Community District Boundary.



UPDATED MAY 14th, 2000

CITY OF HAMILTON

BY-LAW NO. 02-203

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
As Amended by By-law 01-141
Respecting Lands Located at 358 Winona Road and Block 112,
Foothills of Winona
Owned by 1478742 Ontario Inc. (c/o Anthony DiCenzo)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was amended by By-law No. 01-141 on the 26th day of June 2002;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under Subsections 9.6.7 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 9 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:

- (a) by changing from the Single Residential "R4-9 (H)" Zone to the Multiple Residential "RM3-22" Zone, the land comprised in Block "1" and;
- (b) by changing from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-22" Zone, the land comprised in Block "2";

the extent and boundaries of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. That Subsection 6.10.7, "Special Exemptions", of Section 6.10, Multiple Residential "RM3" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special exemption, "RM3-22", to include the following variances:

Notwithstanding the permitted uses of Subsection 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-22" by this By-law may only be used for street townhouses.

Notwithstanding the provisions of Subsection 4.13.3 of the General Provisions Section, on those lands zone "RM3-22" by this By-law, the minimum setback from a railway right-of-way shall be 28 metres in conjunction with a berm.

3. Special Exemption "R4-9(H)" of subsection 6.5.7 of section 6.5, Single Residential "R4" Zone, of Zoning By-law 3692-92 (City of Stoney Creek) is hereby repealed.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

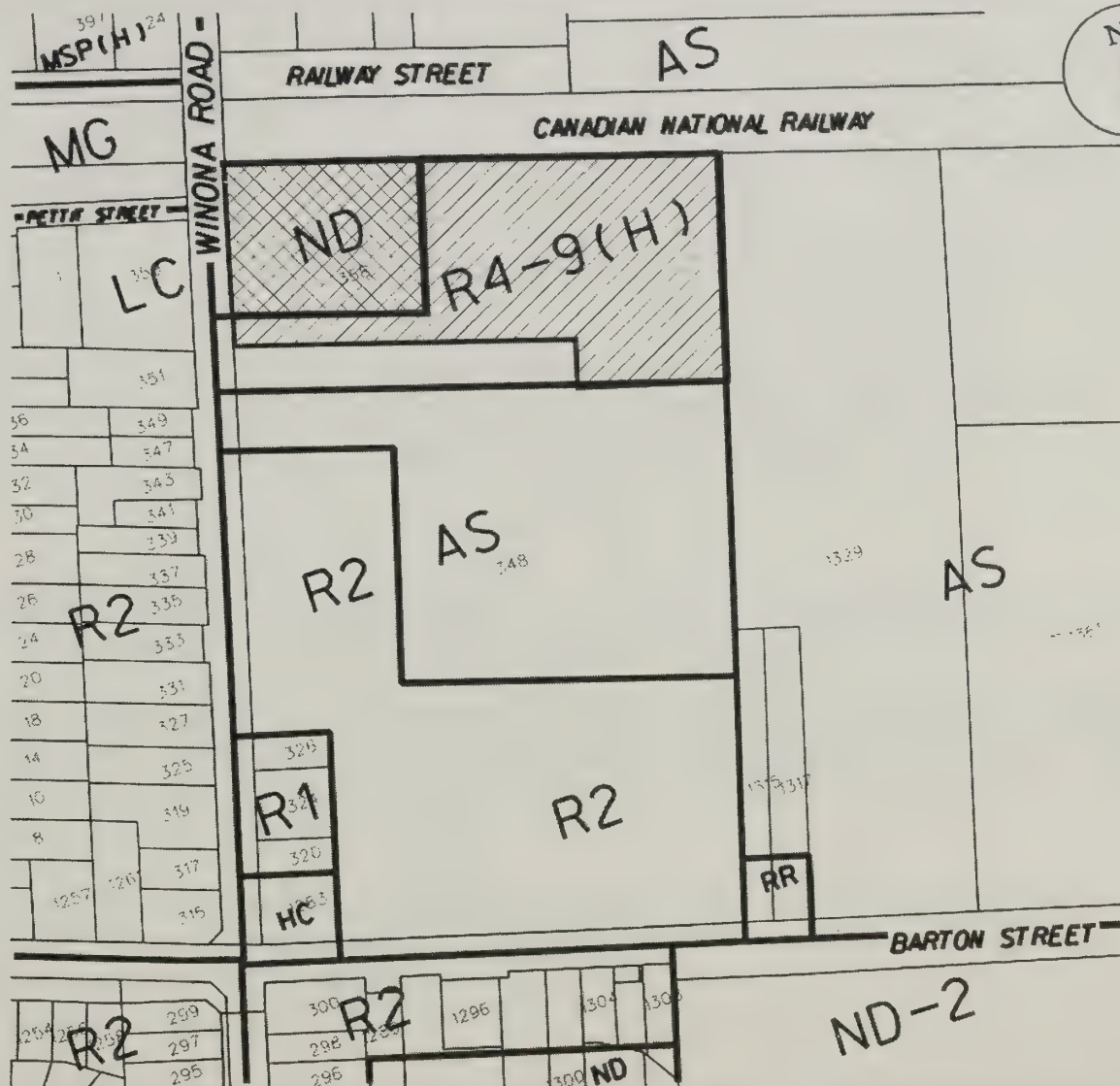
PASSED and ENACTED this 10th day of July, 2002.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 02-203
 Passed the 10th day of July, 2002

[Signature]
 Clerk

[Signature]
 Mayor

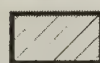
City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-203
 to Amend By-Law No. 3692-92

Planning and Development Department

Legend



Block 1 - Change from Single
 Residential "R4-9(H)" to Multiple
 Residential "RM3-22"



Block 2 - Change from Neighbourhood
 Development "ND" to Multiple
 Residential "RM3-22"



North

Scale
 NOT TO SCALE

Date
 May 10, 2002

Reference File No.
 OPA-02-01 / ZAC-02-04

Drawn By
 MC

Bill No. 204

CITY OF HAMILTON

BY-LAW NO. 02-204

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 357 Hunter Street West
Owned by Valvasori Properties**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3 of Report 02-016 of the Hearings Sub Committee at its meeting held on the 15 day of May, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-13 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. The "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (a) notwithstanding Section 10A.(1) of Zoning By-law 6593 only the following use shall be permitted:
 - i) a multiple dwelling containing a maximum of eighteen (18) Class A dwelling units within the building existing at the time of the passing of the By-law;
- (b) notwithstanding Section 18A.(11)(a), the parking area, located on the surface of a lot adjoining a residential district, shall not be fixed not less than 1.0 metres from the adjoining residential district boundary;
- (c) notwithstanding Section 18A.(1)(b) the parking area shall be a minimum of 3.0 metres from the northerly lot line;
- (d) notwithstanding Section 18A.(1)(c) a loading space shall not be required for a multiple dwelling within the building existing at the time of the passing of the By-law;

- 3. That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until:

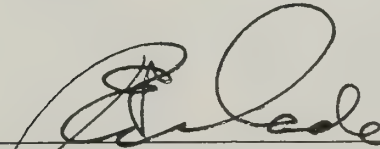
- (1) the applicant/owner has submitted a signed Record of Site Condition (RSC) to the Ministry of Environment (MOE). This RSC must be to the satisfaction of the General Manager, Planning and Development Department, including acknowledgement of receipt of the RSC from the Ministry of Environment;

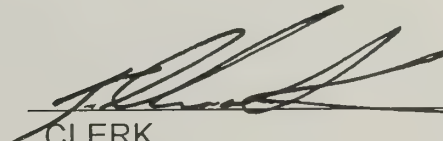
City Council may remove the 'H' symbol, and thereby give effect to the "DE" (Low Density Multiple Dwellings) District, as stipulated in this By-law, by enactment of an amending By-law once the above conditions have been fulfilled;

- 4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in Section 2.

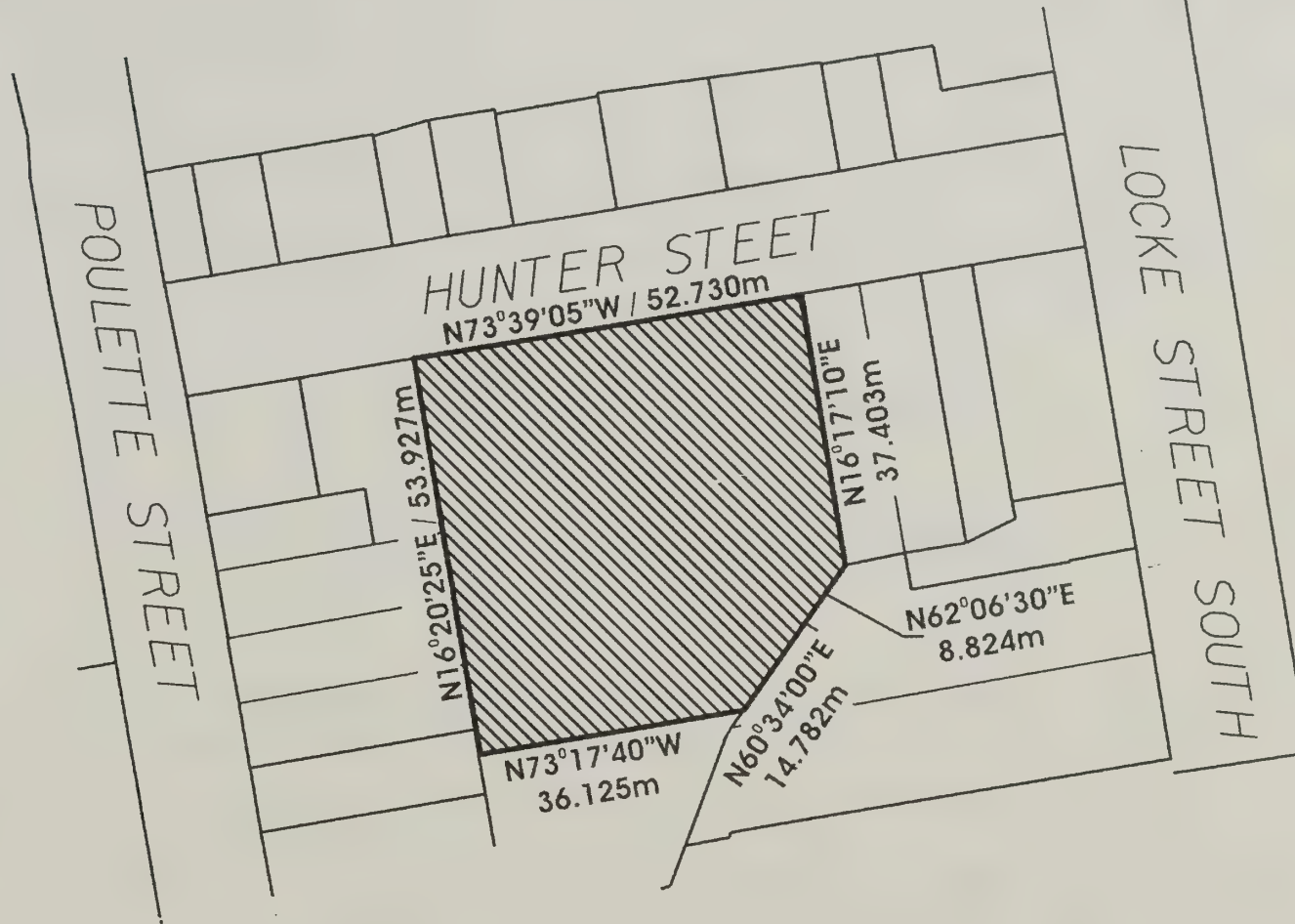
4. By-law No. 6593 is amended by adding this by-law to Section 19B. as Schedule S-1467.
5. Sheet No. W-13 of the District Maps is amended by marking the subject lands, S-1467.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of July, 2002.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 02-204
Passed the 10th day of July, 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02-204
to Amend By-Law No. 6593

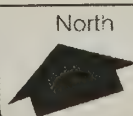
Planning and Development Department

Legend



Subject Property

Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District, Modified for lands located at 357 Hunter Street West



North

Scale
NOT TO SCALE

Date
July 5, 2002

Reference File No.
ZAC-02-12

Drawn By
NM

City of Hamilton

BY-LAW No. 02-205

Respecting:

REMOVAL OF PART LOT CONTROL

WITHIN BLOCK 169 OF

PLAN 62M-926, "MEADOWLANDS-- PHASE 5"

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Town of Ancaster;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of the following land into five (5) residential parcels for their development as single detached residential lots, described as Parts 2 to 6 inclusive on Reference Plan 62R-16175 shall not apply to lands within the portions of the registered plan of subdivision that are designated as follows:

Block 169, Plan 62M-926, in the Former Town of Ancaster

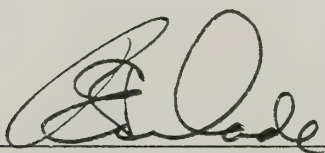
2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.

By-law to remove Block 169 of
Plans 62M-926 "Meadowlands
Phase 5" from Part Lot Control

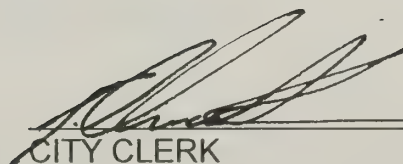
3

3. This By-law shall cease, expire and be of no further effect on July 10, 2003.

PASSED this 10th day of July 2002.



MAYOR



CITY CLERK

752401 Ontario Inc.
PLC-01-19

City of Hamilton

BY-LAW No. 02-206

Respecting:

REMOVAL OF PART LOT CONTROL

WITHIN BLOCK 170 OF

PLAN 62M-926, "MEADOWLANDS- PHASE 5"

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Town of Ancaster;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of the following land into sixteen (16) residential parcels for their development as single detached residential lots, described as Parts 7 to 22 inclusive on Reference Plan 62R-16175 shall not apply to lands within the portions of the registered plan of subdivision that are designated as follows:

Block 170, Plan 62M-926, in the Former Town of Ancaster

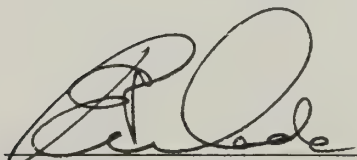
2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.

By-law to remove Block 170 of
Plans 62M-926 "Meadowlands
Phase 5" from Part Lot Control

3

3. This By-law shall cease, expire and be of no further effect on July 10, 2003.

PASSED this 10th day of July, 2002.


MAYOR
CITY CLERK

752401 Ontario Inc.
PLC-01-19

CITY OF HAMILTON

BY-LAW NO. 02-207

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

**GENERAL TEXT AMENDMENT FOR THE TEMPORARY ELIMINATION OF
PARKING AND LOADING REQUIREMENTS FOR RESIDENTIAL
DEVELOPMENT IN THE DOWNTOWN**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The former City of Hamilton passed By-law No. 97-015 on the 28th day of January 1997 to permit the temporary elimination of residential parking and loading in the downtown;

AND WHEREAS the Council of the former City of Hamilton passed By-law No. 99-117 on the 11th day of August 1999 to extend the temporary elimination of residential parking and loading in the downtown

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton.

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3.5 of Report 02-024 of the Hearings Sub Committee at its meeting held on the 3rd day of July, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

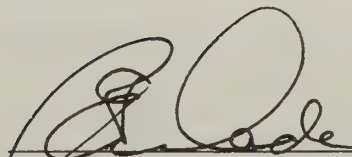
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Section 18A.(42) of Zoning By-law No. 6593 (Hamilton) be amended by deleting the clause and replacing it with the following clause:

"Except for residential care facilities, retirement homes, correctional facilities, corrections residences and emergency shelters, where residential uses mentioned on paragraph 1 in Table 1 and Table 3 are located in the area shown on Schedule "K", no parking and loading will be required for residential uses established within the period between September 1, 2002 and September 1, 2005."

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED AND ENACTED this 10th day of July A.D. 2002


MAYOR


CLERK

Authority: Item 12, Hearings Sub-Committee
Report 02-024 (PD02135)
CM: July 10, 2002

Bill No. 208

CITY OF HAMILTON

BY-LAW NO. 02-208

To Amend Zoning By-law No. 6593, as amended by Zoning By-laws 95-182 and 01-133, Respecting Lands Located at 1451-1471 Upper James Street Owned by 900074 Ontario Inc. (Gordon Albini)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

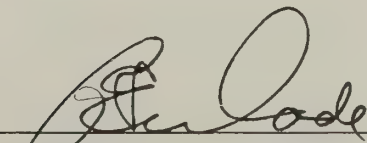
AND WHEREAS the Council of the City of Hamilton, in adopting Item 12 of Report 02-024 of the Hearing Sub Committee at its meeting held on the 10th day of July, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 95-182 (Hamilton), passed on the 26th of September, 1995, to the "G"-H' (Neighbourhood Shopping Centre, etc. - Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 95-182 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "G" (Neighbourhood Shopping Centre, etc.) District provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 95-182 (Hamilton) and By-law No. 01-133 (Hamilton).
2. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-laws No. 95-182 and 01-133, is further amended, by changing from "G"-H' (Neighbourhood Shopping Centre, etc. - Holding) District, modified, to "G" (Neighbourhood Shopping Centre) District, modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" (Neighbourhood Shopping Centre, etc.) District provisions, subject to the special requirements referred to in section 3 of By-law No. 95-182, as amended by By-law No. 01-133.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1342b.
5. Sheet No. E-9D of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1342b.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of July , 2002.


MAYOR


CLERK



DICENZO DRIVE

SUBJECT
PROPERTY

N71°21'00"W 209.123m

N22°51'00"E
13.002m

UPPER JAMES STREET

N18°22'50"E 99.917m

N27°29'40"E 102.361m

N71°22'10"W
3.048m

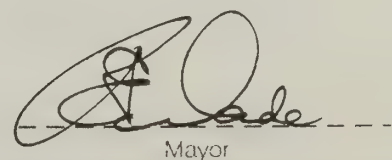
N71°20'20"W 125.201m

N26°28'40"W
17.012m

REGINA DR

This is Schedule "A" to By-Law No. 02 - 208.....
Passed the 10th day of July, 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

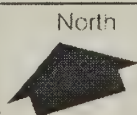
Map Forming Part of
By-Law No. 02-208
to Amend By-Law No. 6593

Planning and Development Department

Legend



Change in Zoning from "G" - 'H'
(Neighbourhood Shopping Centre, etc.
- Holding) District, Modified to "G"
(Neighbourhood Shopping Centre, etc.)
District, Modified



North

Scale
NOT TO SCALE

Date
June 13, 2002

Reference File No.
ZAR-98-28

Drawn By
NM

CITY OF HAMILTON

BY-LAW NO. 02-209

To Amend:

Zoning By-law No. 87-57 (Ancaster)
Zoning By-law No. 3581-86 (Dundas)
Zoning By-law No. 90-145-Z (Flamborough)
Zoning By-law No. 464 (Glanbrook)
Zoning By-law No. 6593 (Hamilton)
Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

PHASED REGISTRATION OF CONDOMINIUMS

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Town of Dundas" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Town of Flamborough" and is the successor to the former Regional Municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Township of Glanbrook" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Stoney Creek" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Coning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of The Corporation of the Town of Dundas passed Zoning By-law No. 3581-86 (Dundas) on the 22nd day of May 1986, which by-law was approved by the Ontario Municipal Board by Order dated the 10th day of May 1988;

AND WHEREAS the Council of The Corporation of the Town of Flamborough passed Zoning By-law No. 90-145-Z (Flamborough) on the 5th day of November 1990, which by-law was approved by the Ontario Municipal Board by Order dated the 21st day of December 1992;

AND WHEREAS the Council of the Corporation of the Township of Glanbrook passed Zoning By-law No. 464 (Glanbrook) on the 16th day of March 1992, and approved by the Ontario Municipal Board on the 31st day of May 1993;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster, the Official Plan of the Town of Dundas, the Official Plan of the Town of

Flamborough, the Official Plan of the Township of Glanbrook, the Official Plan of the City of Hamilton and the Official Plan of the City of Stoney Creek).

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3.7 of Report 02-024 of the Hearings Sub Committee at its meeting held on the 3rd day of July, 2002, recommended that Zoning By-87-57 (Ancaster), Zoning By-law No. 3581-86 (Dundas), Zoning By-law No. 90-145-Z (Flamborough), Zoning By-law No. 464 (Glanbrook), Zoning By-law No. 6593 (Hamilton) and Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Town of Ancaster

- a. Section 7 of Zoning By-law No. 87-57 (Ancaster) is hereby amended by adding the following new subsection as follows:

7.26 PHASED REGISTRATION OF CONDOMINIUMS

“Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval as well as Site Plan Approval and where registration of the Plan is intended to occur in phases and/or stages, the draft approved plan of condominium shall be deemed to be one lot for the purposes of applying zoning provisions. Zoning regulations shall apply only to the external limits of the Plan, prior to the registration of any phase, not to interior boundaries resulting from the registration of any phase.”

- b. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

2. Town of Dundas

- a. Section 6 of Zoning By-law No. 87-57 (Dundas) is hereby amended by adding the following new subsection as follows:

6.23 PHASED REGISTRATION OF CONDOMINIUMS

“Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval as well as Site Plan Approval and where registration of the Plan is intended to occur in phases and/or stages, the draft approved plan of condominium shall be deemed to be one lot for the purposes of applying zoning provisions. Zoning regulations shall apply only to the external limits of the Plan, prior to

the registration of any phase, not to interior boundaries resulting from the registration of any phase.”

- b. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

3. Town of Flamborough

- a. Section 5 of Zoning By-law No. 90-145-Z (Flamborough) is hereby amended by adding the following new subsection as follows:

5.34 PHASED REGISTRATION OF CONDOMINIUMS

“Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval as well as Site Plan Approval and where registration of the Plan is intended to occur in phases and/or stages, the draft approved plan of condominium shall be deemed to be one lot for the purposes of applying zoning provisions. Zoning regulations shall apply only to the external limits of the Plan, prior to the registration of any phase, not to interior boundaries resulting from the registration of any phase.”

- b. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

4. Township of Glanbrook

- a. Section 7 of Zoning By-law No. 464 (Glanbrook) is hereby amended by adding the following new subsection as follows:

7.39 PHASED REGISTRATION OF CONDOMINIUMS

“Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval as well as Site Plan Approval and where registration of the Plan is intended to occur in phases and/or stages, the draft approved plan of condominium shall be deemed to be one lot for the purposes of applying zoning provisions. Zoning regulations shall apply only to the external limits of the Plan, prior to the registration of any phase, not to interior boundaries resulting from the registration of any phase.”

- b. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

5. City of Hamilton

- a. Section 18 of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding the following new subsection as follows:

(16) PHASED REGISTRATION OF CONDOMINIUMS

"Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval as well as Site Plan Approval and where registration of the Plan is intended to occur in phases and/or stages, the draft approved plan of condominium shall be deemed to be one lot for the purposes of applying zoning provisions. Zoning regulations shall apply only to the external limits of the Plan, prior to the registration of any phase, not to interior boundaries resulting from the registration of any phase."

- b. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

6. City of Stoney Creek

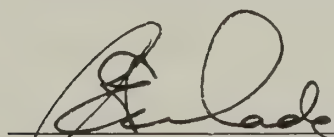
- a. Delete clause Section 4.4.6 of Zoning By-law No. 3692-92 (Stoney Creek) and replace it with the following:

4.4.6 PHASED REGISTRATION OF CONDOMINIUMS

"Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval as well as Site Plan Approval and where registration of the Plan is intended to occur in phases and/or stages, the draft approved plan of condominium shall be deemed to be one lot for the purposes of applying zoning provisions. Zoning regulations shall apply only to the external limits of the Plan, prior to the registration of any phase, not to interior boundaries resulting from the registration of any phase."

- b. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED AND ENACTED this 10th day of July A.D. 2002



MAYOR



CLERK

CITY OF HAMILTON

BY-LAW NO. 02-210

**To Amend Zoning By-law No. 6593, as amended by Zoning By-law No. 02-101,
Respecting Lands Located at 130 York Boulevard
Lessee, Hamilton District Energy Board**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 13 of Report 02-024 of the Hearing Sub Committee at its meeting held on the 10th day of July, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 02-101 (Hamilton), passed on the 10th of April, 2002, to the "H"-'H' (Community Shopping and Commercial, etc. - Holding) District, modified, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 02-101 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "H" (Community Shopping and Commercial, etc.) District, modified, provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 02-101 (Hamilton).
2. Sheet No. W-4 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 02-101, is further amended, by changing from "H"-'H' (Community Shopping and Commercial, etc. - Holding) District, modified, to "H" (Community Shopping and Commercial, etc.) District, modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" (Community Shopping and Commercial, etc.) District provisions, subject to the special requirements referred to in section 3 of By-law No. 02-101.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-745b.
5. Sheet No. W-4 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-745b.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of July , 2002.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 02 - 210
 Passed the 10th day of July, 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-210
 to Amend By-Law No. 6593

Planning and Development Department

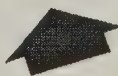
Legend



Subject Property

Change in zoning from "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District to "H" (Community Shopping and Commercial, etc.) District, modified.

North



Scale

NOT TO SCALE

Date

June 21, 2002

Reference File No.

ZA-02-49

Drawn By

LM

Authority: Item 8, Hearings Sub-Committee
Report 02-024
(PD00139(g)/FCS01055(e))
CM: July 10, 2002

Bill No. 211

CITY OF HAMILTON

BY-LAW NO. 02-211

To Adopt Amendments to The Downtown Hamilton Community Improvement Plan

WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 97-140, as amended to adopt the Downtown Hamilton Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of its respective Community Improvement Project Area;

AND WHEREAS the lands which were the subject of this by-law were, as of January 1st, 2001 –placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton Wentworth, and in the place of the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton, as the successor municipality, in respect of the said By-laws is entitled to the benefit of all such By-laws and is entitled to amend such By-laws in accordance with the provisions of the community improvement Part of the Planning Act;

AND WHEREAS all references in the said by-laws in respect of the said Community Improvement Project Area, and Community Improvement Plan to the Corporation of the City of Hamilton do now therefore mean and refer to the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The provisions of the Enterprise Zone – Municipal Realty Incentive Grant Program portion of the Downtown Hamilton Community Improvement Plan be amended by deleting the boundary map for the Municipal Realty Tax

Incentive Grant Program, with the revised boundaries for the program becoming the full limits of the Downtown Hamilton Community Improvement project Area.

2. The City Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing,
 - (a) for approval, as required by subsection 28(4) of the Planning Act, to this by-law adopting the said amendment to the Community Improvement Plan;
 - (b) for approval, as required by subsection 28(8) of the community improvement provisions of the Planning Act, to be granted to the City by the Minister, to permit the City to offer the grants as provided for in the said Community Improvement Plan, as amended by this amending By-law, that would otherwise be bonuses prohibited by subsection 111(1) of the Municipal Act.
3. This By-law shall come into force and effect on the date of the approval of the Minister of Municipal Affairs and is valid and binding.

PASSED and ENACTED this 10th day of July, 2002 .



MAYOR



CLERK

Authority: Item 1, Hearings Sub-Committee
Report: 02-024 (PD02122)
CM: July 10, 2002

Bill No. 212

CITY OF HAMILTON

BY-LAW NO. 02-212

To Adopt:

Official Plan Amendment No. 179 to the former City of Hamilton Official Plan;

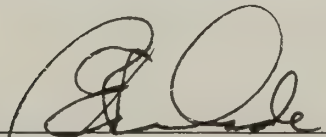
Respecting:

1360 Upper Sherman Avenue

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 179 to the Official Plan of the former Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 10th day of July, 2002



MAYOR



CLERK

Amendment No. 179

to the

Official Plan of the Former City of Hamilton

The following Schedule “A”, Land Use Concept, attached hereto, constitutes Official Plan Amendment No. 179.

Purpose:

The purpose of the Amendment is to redesignate the subject land from “Residential” to “Major Institutional” on Schedule “A”, Land Use Concept, of the Official Plan to permit a retirement home.

Location:

The land affected by this Amendment is known municipally as 1360 Upper Sherman Avenue on the north-west corner of Upper Sherman Avenue and Stone Church Road in the Rushdale Neighbourhood.

Basis:

The intent of the Amendment is to redesignate the subject land to permit a retirement home. The basis for permitting the proposal is as follows:

- The proposal complies with the intent of the Official Plan, which promotes infill development within the urban boundary;
- The proposed use is compatible with the character of existing development in the area (i.e., surrounding three (3) storey residential to the north and institutional (church) to the east);
- The proposal provides for the growing demand of housing for our aging population;
- Sufficient off-street parking will be provided; and
- The site is located at the intersection of two major arterial roads, on a bus route, and is close to commercial shopping facilities (retail and grocery stores, etc.).

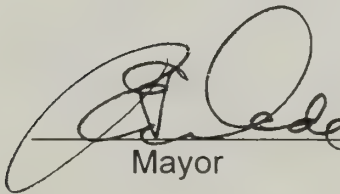
Actual Change:

Schedule "A", Land Use Concept, of the Official Plan be revised by redesignating the subject land from "Residential" to "Major Institutional", as shown on the attached Schedule "A" of this Amendment.

Implementation:

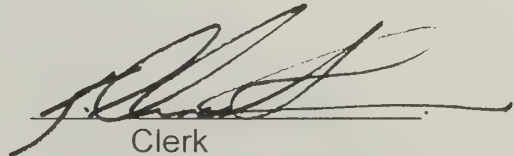
A Zoning By-Law amendment will give effect to the intended use on the subject land.

This is Schedule 1 to By-law No. 02-212 passed on the 10th day of July, 2002.



Mayor

City of Hamilton



Clerk

Authority: Item 1, Hearings Sub-Committee
Report 02-024 (PD02122)
CM: July 10, 2002

Bill No. 213

City of Hamilton

BY-LAW NO. 02-213

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 1360 Upper Sherman Avenue

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 (Hamilton), passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Planning Amendment No. 179 proposed by the Corporation of the City of Hamilton as By-law No. 02-212, but not yet approved in accordance with the provisions of the Planning Act.

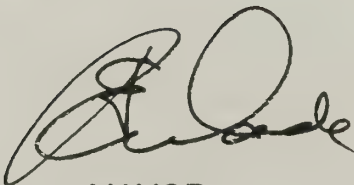
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-27C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District - Modified,

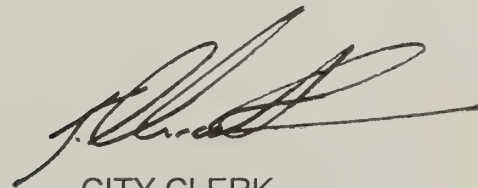
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The "DE-3" (Modified Dwellings) District provisions, as contained in Section 10 C of Zoning By-law No. 6593 (Hamilton), applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,
 - (1) That notwithstanding Section 10C.(1) of Zoning By-law No. 6593, only a retirement home, containing a maximum of one hundred and thirty (130) residents, shall be permitted;
 - (2) That notwithstanding Section 10C.(2) of Zoning By-law No. 6593, the height of any building, structure, or portion of any building or structure, shall not exceed a height of three (3) storeys and 15.0m maximum;
 - (3) That notwithstanding Section 10C.(3) of Zoning By-law No. 6593, the following yards shall be provided and maintained;
 - (aa) a minimum easterly side yard of 2.5m in width; and,
 - (bb) a minimum westerly side yard of 6.6m in width.
 - (4) That notwithstanding Section 18.(4)(iii), of Zoning By-law No. 6593, an accessory building or structure of not more than 5.18m in height shall be permitted;
 - (5) That a ground sign displaying the name of the retirement home and municipal address, having a maximum height of 1.5m and a maximum length of 3.0m and a minimum of 0.3m from any lot line, shall be permitted;

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1466.
5. Sheet No. E-27C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1466.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

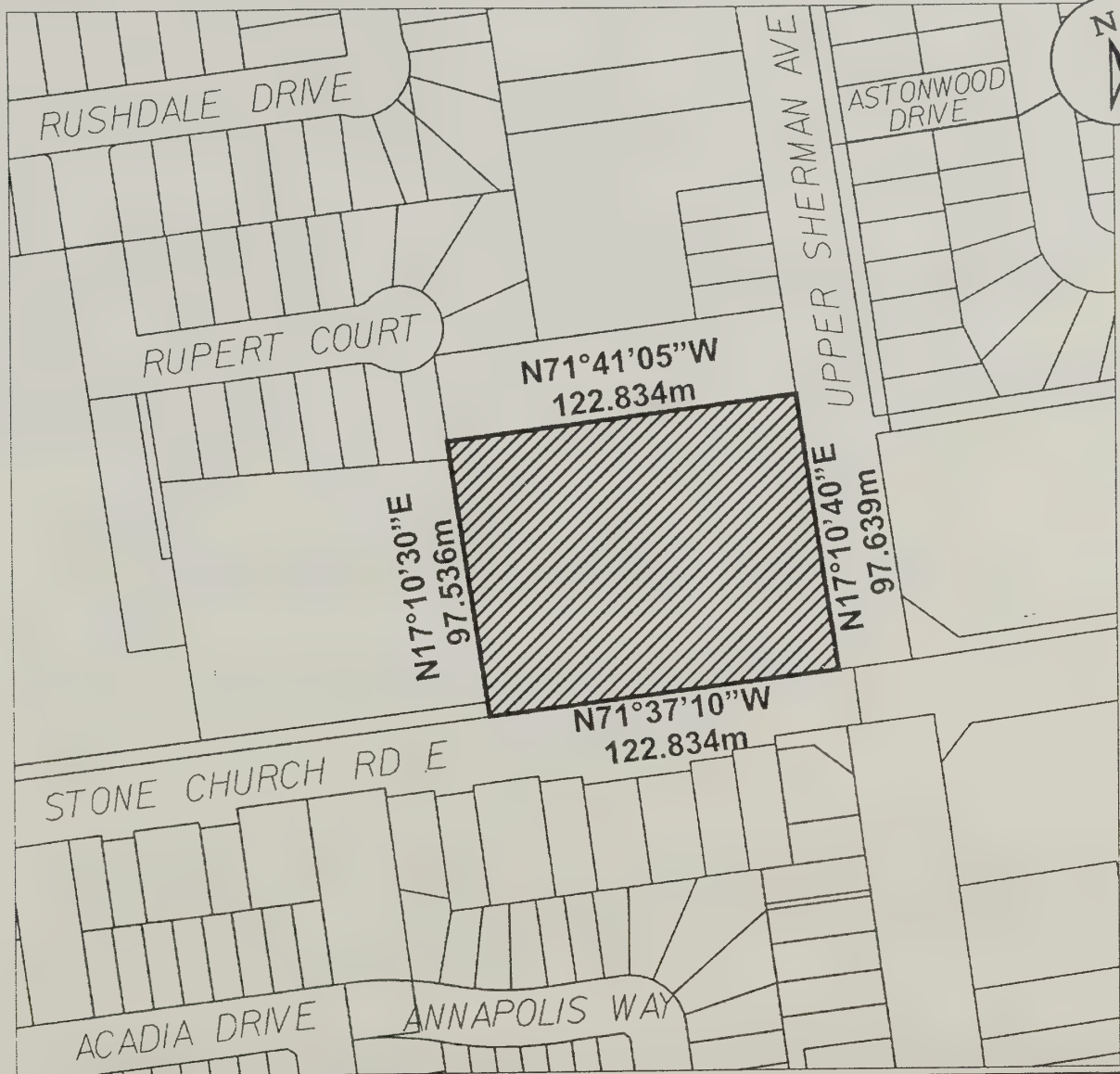
PASSED this 10th day of July A.D. 2002



MAYOR



CITY CLERK



This is Schedule "A" to By-Law No. 02 - 213
 Passed the 10th day of July, 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

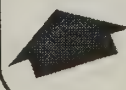
Map Forming Part of
 By-Law No. 02-213
 to Amend By-Law No. 6593

Planning and Development Department

Legend



Subject Property
 1360 Upper Sherman Avenue
 Change in zoning from "AA" (Agricultural)
 District to "DE-3" (Multiple Dwelling) District,
 modified.

	Scale NOT TO SCALE	Reference File No ZAC-02-28
	Date June 25, 2002	Drawn By LM

THE CITY OF HAMILTON

BY-LAW NO. 02-214

To Confirm the Proceedings of City Council at its meeting held on July 10, 2002

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

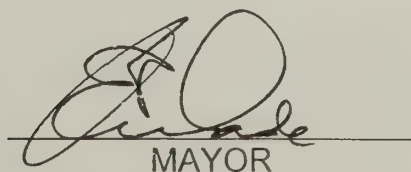
1. The Action of City Council at its meeting held on the 10th day of July, 2002 in respect of each recommendation contained in:

Report 02-026 of the Committee of the Whole,
Report 02-027 of the Committee of the Whole,
Report 02-024 of the Hearings Sub-Committee,
Report 02-025 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 10th day of July, 2002


MAYOR


CITY CLERK

Authority:

Item 9a, Hearings Sub-Committee

Report: 02-024(PD01197(a))

CM: July 10, 2002

Bill No. 215

CITY OF HAMILTON

BY-LAW NO. 02-215

To Adopt:

Official Plan Amendment No. 178 to the former City of Hamilton Official Plan;

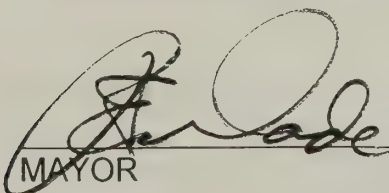
Respecting:

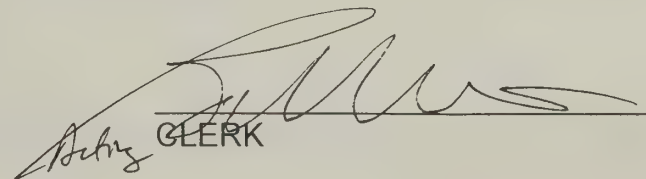
**45 Rifle Range Road
1581 – 1603 Main Street West**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 178 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 17th day of July, 2002


MAYOR


CLERK

Amendment No. 178

to the

Official Plan for the Former City of Hamilton

The following text, together with Schedule "A" – Land Use Concept, and Schedule "B"- Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 178.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from "Industrial" and "Residential" and to establish a Special Policy Area to permit "Commercial" uses on the subject lands.

Location:

The lands affected by this Amendment are located south of Main Street West and east of Rifle Range Road, known municipally as 45 Rifle Range Road and 1581-1603 Main Street West and 45 Rifle Range Road.

Basis:

The basis for permitting the proposed grocery store and other commercial uses is as follows:

- (i) Block "1" is currently used for commercial uses and the proposal provides for the comprehensive redevelopment of these lands in accordance with the City's requirements for landscaping, fencing and engineering standards with respect to grading, drainage and on-site vehicular circulation;
- (ii) the proposal commercial development would be compatible with the existing industrial use to the west and institutional use to the south;
- (iii) it will result in the elimination of the potential conflicts between industrial and residential uses;
- (iv) it will provide for the incorporation of the off-street multi-use path system; and,
- (v) it has good access to a major arterial roadway (i.e. Main Street West).

Actual Change:

1. Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating

the subject lands from "Industrial" and "Residential" to "Commercial" as shown on the attached Schedule "A" of this Amendment.

2. Schedule "B" – Special Policy Areas of the Official Plan be revised by designating the subject lands as Special Policy Area No. 87 and adding Policy A.2.9.3.82 as shown on the attached Schedule "B" of this Amendment.
3. The following new policy be added to subsection A.2.9.3 - Other Policy Areas as A.2.9.3.82:

"Notwithstanding Policy A.2.9.3.82 for the lands known municipally as 1581-1603 Main Street West and 45 Rifle Range Road and, shown on Schedule B as SPECIAL POLICY AREA 87, commercial uses will be permitted provided the following criteria are met:

- (i) the realignment of Rifle Range Road and the Rifle Range Road – Main Street West intersection has been approved and implemented;
- (ii) provision for an off-street multi-use path system shall be incorporated into the development; and,
- (iii) appropriate buffering will be provided between commercial uses and adjacent residential and institutional uses to mitigate potential adverse impacts, such as negative visual impacts, reduced privacy, increased noise and light from parking areas. In this regard, measures such as setbacks, landscape strips and visual and acoustical barriers may be used. "

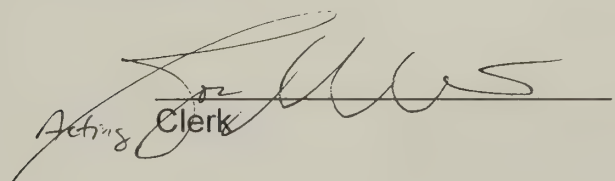
Implementation:

A Zoning By-Law amendment will give effect to the intended use on the subject lands.

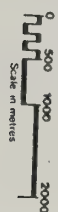
This is Schedule "1" to By-law No. 02-215, passed on the 17th day of July, 2002.

The City of Hamilton


Mayor


Acting Clerk

Date	Drawn By	Reference File no.
JULY 2002	L. McNeely	OPA 178 (H)



 midlevel
 commercial
 industrial
 open space
 major thoroughfare
 utilities
 central policy area
 special policy area
 wilderness basin
 plot numbers
 site required change

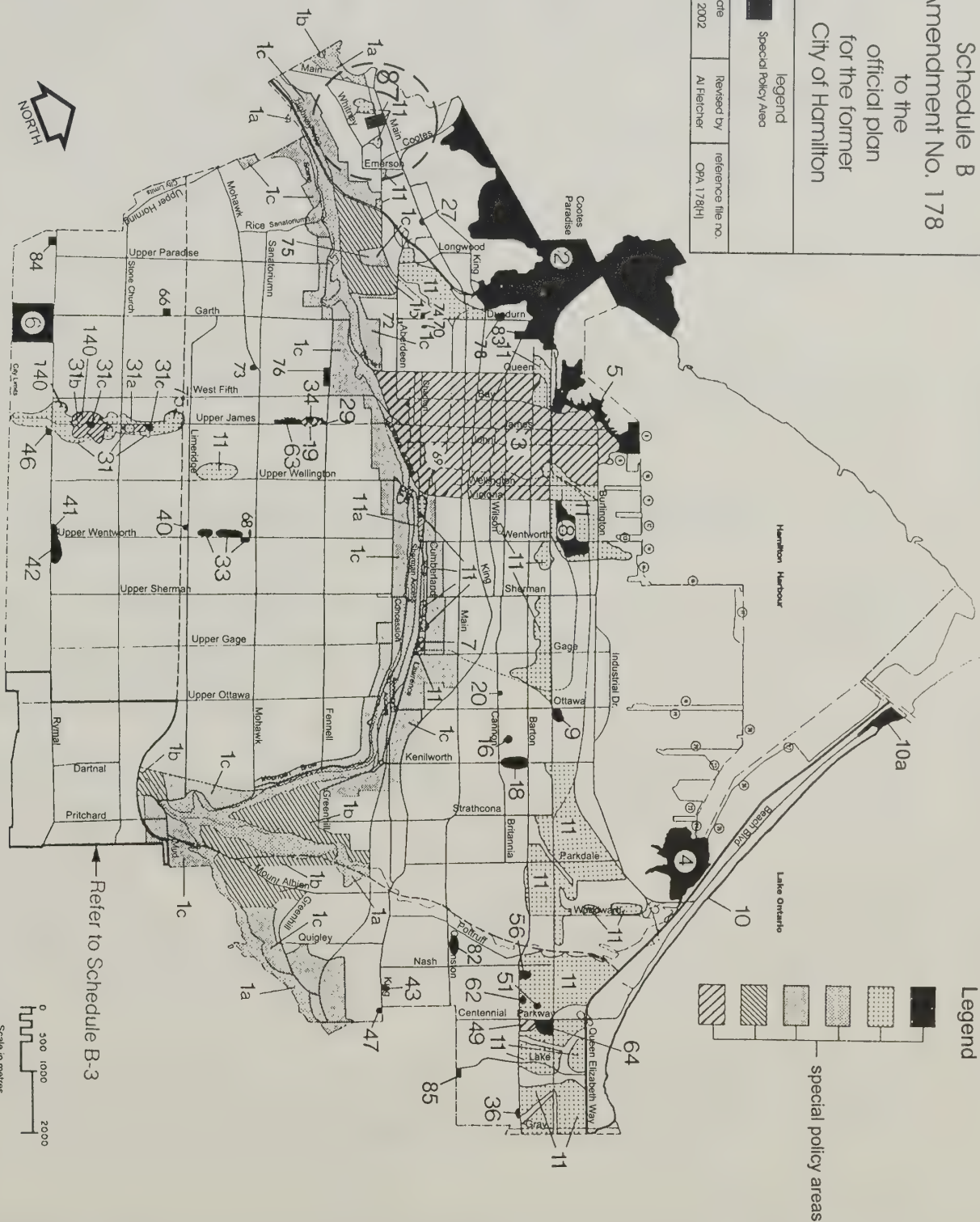
Schedule A

Schedule B Amendment No. 178

to the
official plan
for the former
City of Hamilton

Special Policy Area

date July 2002
Revised by Al Fletcher
reference file no. OPA 178(H)



special policy areas

AREA	REFER TO POLICY	AREA	REFER TO POLICY
1(c)	A.2.9.1	56	A.2.9.3.51
1(c)	A.2.9.1	62	A.2.9.3.57
1(c)	A.2.9.1	63	A.2.9.3.58
2	A.2.9.2	64	A.2.9.3.59
3	A.2.9.3	65	A.2.9.3.60
4	A.2.9.3.1	66	A.2.9.3.61
5	A.2.9.3.2	67	A.2.9.3.62
6	A.2.9.3.3	68	A.2.9.3.63
7	A.2.9.3.4	69	A.2.9.3.64
8	A.2.9.3.5	70	A.2.9.3.65
9	A.2.9.3.6	71	A.2.9.3.66
10	A.2.9.3.7	72	A.2.9.3.67
11	A.2.9.3.8	73	A.2.9.3.68
11(c)	A.2.9.3.9	74	A.2.9.3.69
11(c)	A.2.9.3.10	75	A.2.9.3.70
16	A.2.9.3.11	76	A.2.9.3.71
17	A.2.9.3.12	77	A.2.9.3.72
18	A.2.9.3.13	78	A.2.9.3.73
19	A.2.9.3.14	79	A.2.9.3.74
20	A.2.9.3.15	80	A.2.9.3.75
21	A.2.9.3.16	81	A.2.9.3.76
22	A.2.9.3.17	82	A.2.9.3.77
23	A.2.9.3.18	83	A.2.9.3.78
24	A.2.9.3.19	84	A.2.9.3.79
25	A.2.9.3.20	85	A.2.9.3.80
26	A.2.9.3.21	86	A.2.9.3.81
27	A.2.9.3.22	87	A.2.9.3.82
28	A.2.9.3.23		
29	A.2.9.3.24		
30	A.2.9.3.25		
31	A.2.9.3.26		
31(c)	A.2.9.3.27		
32	A.2.9.3.28		
33	A.2.9.3.29		
34	A.2.9.3.30		
35	A.2.9.3.31		
36	A.2.9.3.32		
37	A.2.9.3.33		
38	A.2.9.3.34		
39	A.2.9.3.35		
40	A.2.9.3.36		
41	A.2.9.3.37		
42	A.2.9.3.38		
43	A.2.9.3.39		
44	A.2.9.3.40		
45	A.2.9.3.41		
46	A.2.9.3.42		
47	A.2.9.3.43		
48	A.2.9.3.44		
49	A.2.9.3.45		
50	A.2.9.3.46		
51	A.2.9.3.47		
52	A.2.9.3.48		
53	A.2.9.3.49		
54	A.2.9.3.50		
55	A.2.9.3.51		

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.

Schedule B
to the official plan
for
the City of Hamilton

JULY 2002.

Bill No. 216

CITY OF HAMILTON

BY-LAW NO. 02-216

To Amend Zoning By-law No. 06593
Respecting Lands Located at 45 Rifle Range Road and
1581 – 1603 Main Street West

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 9 of Report 02-024 of the Hearings Sub Committee at its meeting held on the 10 day of July, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No.178 proposed by the Corporation of the City of Hamilton as By-law No. 02-215, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) District to "H" – 'H' (Community Shopping and Commercial, etc. - Holding) District, the lands comprised in Block "1"
- (b) by changing from "RT-20" (Townhouse – Maisonette) District to "H" – 'H' (Community Shopping and Commercial, etc. - Holding) District, the lands comprised in Block "2"

the extent and boundaries of Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A";

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "1" and "2", be modified to include the following variances as special provisions:

- (a) That notwithstanding Section 2.(2)h.(via) of Zoning By-law No. 6593, a sidewalk shall be permitted within the planting strip;
- (b) That notwithstanding Section 14.(3)(ii) of Zoning By-law No. 6593, a side yard along lot line of a width of not less than 4.5 metres shall be provided and maintained;
- (c) That in addition to the requirements of Section 14(9) and Section 18A of Zoning By-law No. 6593, a visual barrier comprised of a landscaped berm, trees, shrubs and non-continuous fence of not less than 1.2 metres and not more than 2.0 metres shall be provided and maintained within the required landscaped area adjacent to Rifle Range Road; and,
- (d) That notwithstanding Section 18A(12)(c) A visual barrier of not less than 1.2 metres and not more than 2.0 metres in height shall be provided and maintained along any lot line abutting a residential use.

3. That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until:

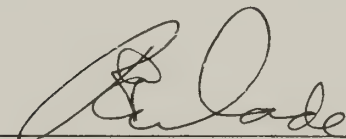
- (a) the applicant has entered into the necessary agreements with the City of Hamilton for the roadway alterations required for the realignment of Rifle Range Road and the Rifle Range Road – Main Street West intersection to the satisfaction of the General Manager, Transportation, Operations and Environment Department;
- (b) the owner has applied for and received final approval for a site plan control application incorporating a multi-use path system for the use of the subject lands to the satisfaction of the General Manager, Planning and Development Department;

- (c) land assembly has occurred whereby the subject lands have been merged in title with the abutting lands to the north to the satisfaction of the Director, Development Division, Planning and Development Department; and,
- (d) the owner has submitted a signed Record of Site Condition (RSC) to the Ministry of Environment. This RSC must be to the satisfaction of the City of Hamilton, including acknowledgement of receipt of the RSC from the Ministry of Environment.

City Council may remove the 'H' symbol, and thereby give effect to the "H" (Restricted Community Shopping and Commercial, etc.) District, as amended by the special requirements of Section 2., as stipulated in this By-law, by enactment of an amending By-law once the above conditions have been fulfilled;

- 4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.
- 6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1468.
- 7. Sheet No. W-22 of the District Maps are amended by marking the lands referred to in sections 1 of this by-law, S-1468.
- 3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

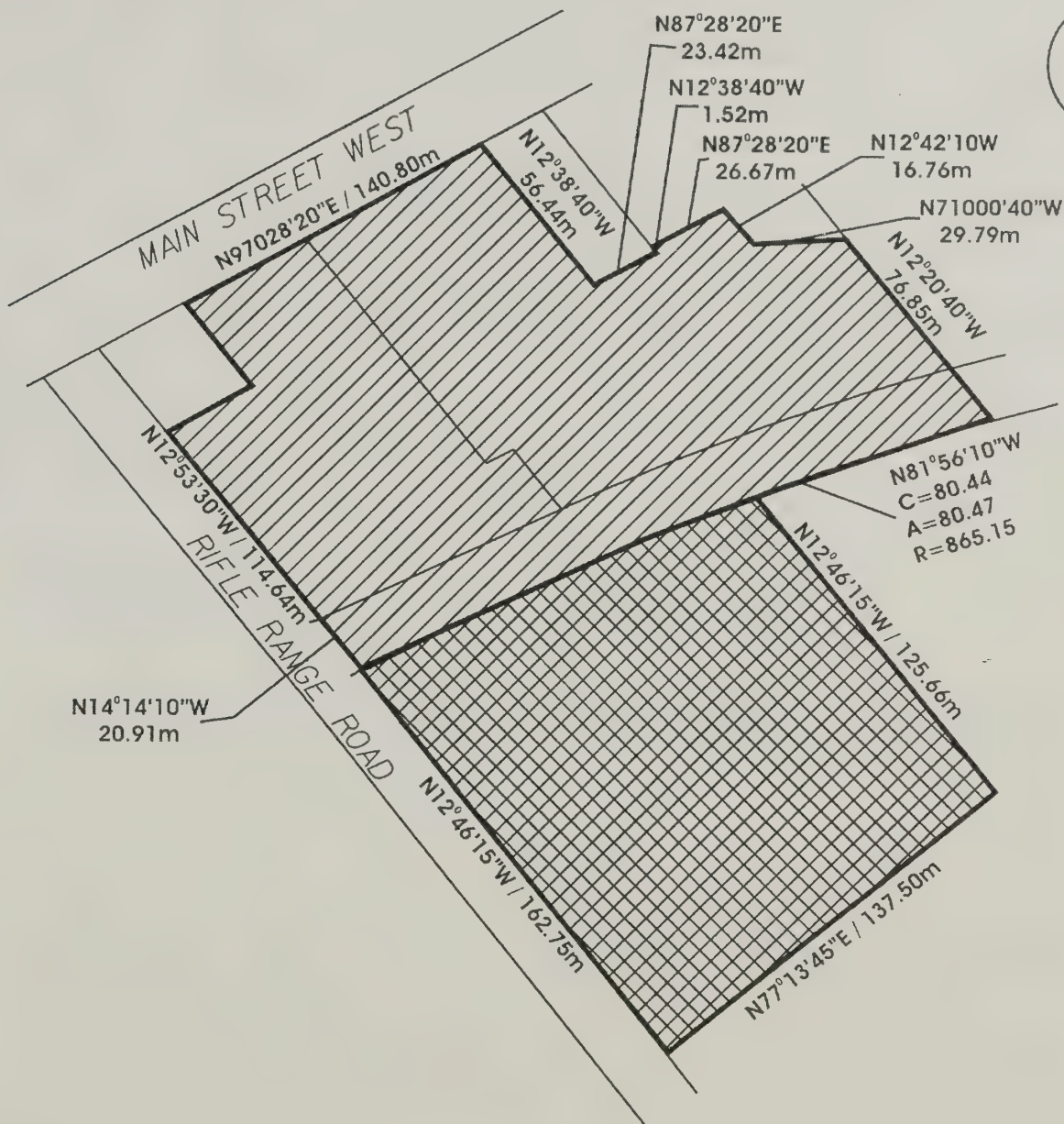
PASSED and ENACTED this 17th day of July, 2000



MAYOR



CLERK



This is Schedule "A" to By-Law No. 02-216.....
 Passed the 17th day of July, 2002.

[Signature]
 Acting Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-216

to Amend By-Law No. 6593

Planning and Development Department

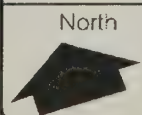
Zoning Legend for ZAC-01-26



BLOCK "1" - change in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District



BLOCK "2" - change in zoning from "RT-20" (Townhouse - Maisonette) District to "H"- 'H' (Community Shopping and Commercial, etc. - holding) District



North

Scale
 NOT TO SCALE

Date
 July 8, 2002

Reference File No.
 ZAC-01-26

Drawn By
 NM

THE CITY OF HAMILTON

BY-LAW NO. 02-217

To Confirm the Proceedings of City Council at its special meeting held on July 17, 2002

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

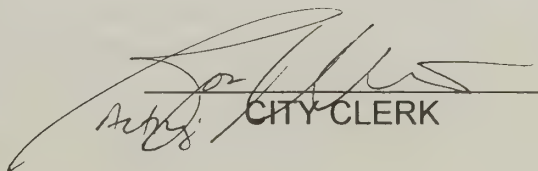
1. The Action of City Council at its meeting held on the 17th day of July, 2002 in respect of each recommendation contained in the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 17th day of July, 2002


MAYOR


CITY CLERK

Authority: Item 12, Hearings Sub-Committee
Report 02-026 (PD02155)
CM: August 14, 2002

Bill No. 218

CITY OF HAMILTON

BY-LAW NO. 02-218

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
As Amended by By-law No. 5001-99
Respecting Lands Located on Silverlace Circle,
Owned by 1224409 Ontario Inc. (c/o A. Di Silvestro)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was amended by By-law No. 5001-99 on the 14th day of September 1999 to rezone land located on Silverlace Circle from the Neighbourhood Development "ND" Zone to the Single Residential - Two "R2(H)" Zone, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 5001-99 and forming part thereof, which By-law came into force on the day it was passed, in accordance with the Planning Act;

AND WHEREAS the owner has satisfied all of the conditions to remove the Holding (H) symbol;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

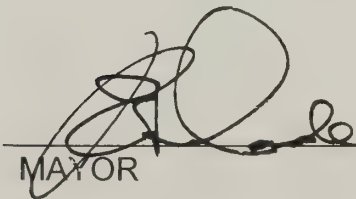
1. The "H" (Holding) symbol affixed by By-law No. 5001-99, passed on the 14th day of September 1999, to the Single Residential - Two "R2(H)" Zone of the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 5001-99 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the Single Residential - Two "R2" Zone provisions of Zoning By-law No. 3692-92.

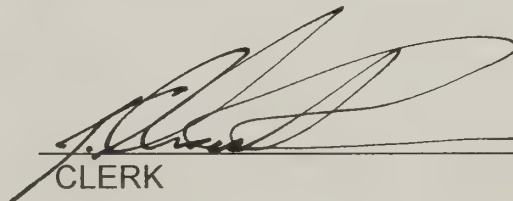
2. Zoning Map No. 9 of Schedule "A" of Zoning By-law No. 3692-92, as amended by Section 1 of By-law No. 5001-99, is further amended by changing from the Single Residential - Two "R2(H)" Zone to the Single Residential - Two "R2" Zone, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. In all other respects, By-law No. 5001-99 is hereby confirmed, unchanged.

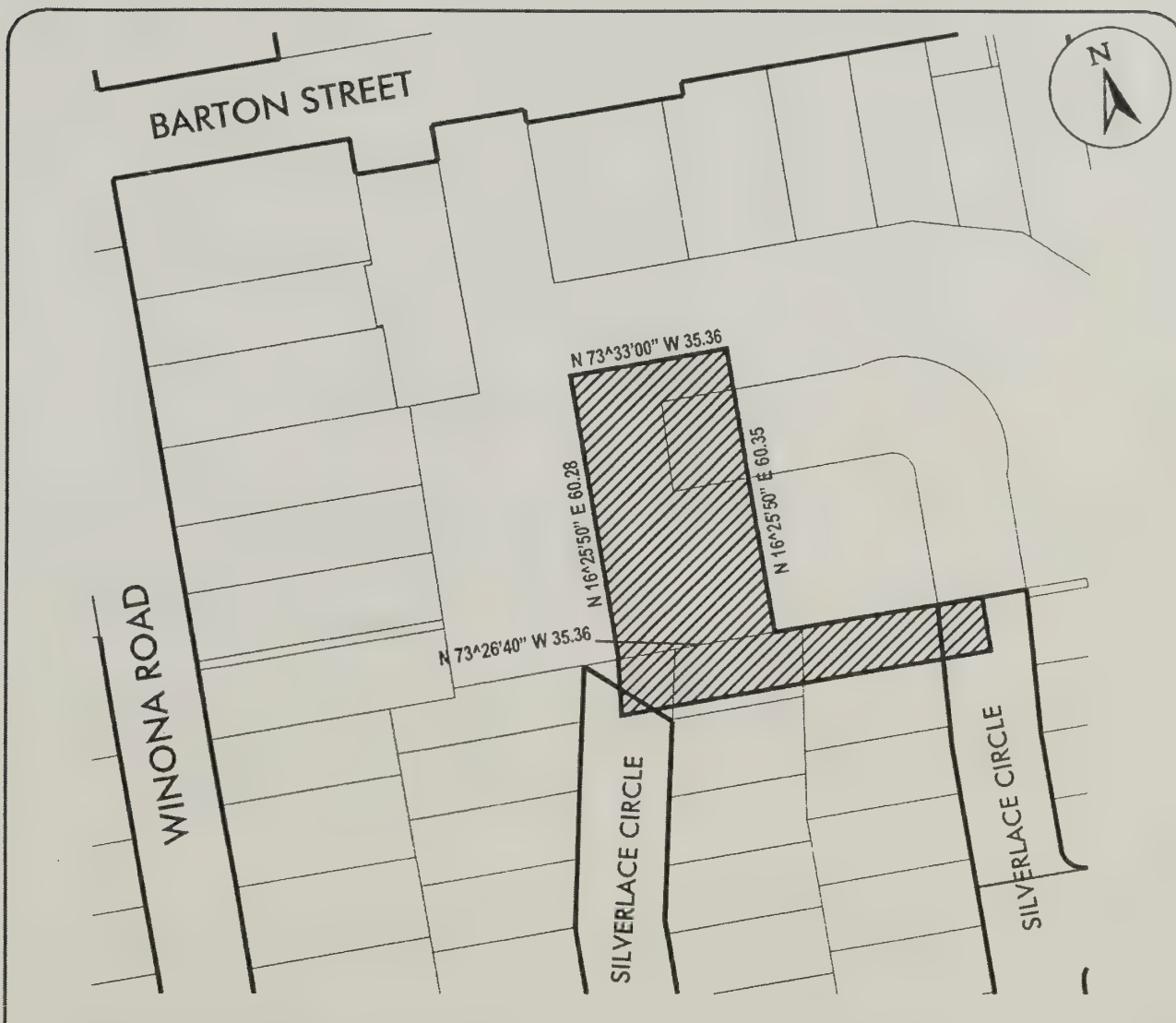
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 14th day of August, 2002.

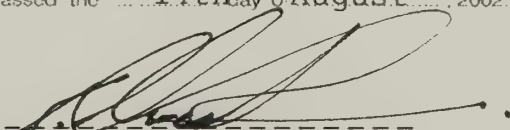


MAYOR

CLERK



This is Schedule "A" to By-Law No. 02-218.....
 Passed the 14th day of August, 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-218
 to Amend By-Law No. 3692-92

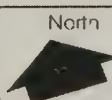
Planning and Development Department

Legend



Subject Property

Change from the Single Residential
 Holding "R2 (H)" Zone to the Single
 Residential "R2" Zone



North

Scale
 NOT TO SCALE

Date
 July 9, 2002

Reference File No
 ZAR-02-54

Drawn By
 SN

CITY OF HAMILTON

BY-LAW NO. 02-219

To Limit Property Tax Capping

WHEREAS sections 447.65 and 447.68 respectively of the Municipal Act provide for a cap which determines the maximum taxes for which particular classes of real property are liable during the fiscal years 2001 and 2002.;

AND WHEREAS sections 447.67 and 447.69 respectively empower the City to enact a by-law to establish a percentage by which tax decreases under sections 447.65 and 447.68 shall be limited in respect of properties in any property class. ;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Recovery for 2001

- 1.1 For the purposes of section 447.67 of the *Municipal Act*, in order to recover all or part of the revenues foregone as a result of the application of section 447.65 of the Act to properties within the property classes specified in Schedule "A" to this By-law, the percentage by which tax decreases for 2001 in respect of properties subject to Part XXII.3 of the Act shall be, and be deemed to have been, limited shall be as set out in the column headed "2001 Decrease" in that Schedule.
- 1.2 Section 1.1 shall apply to all properties in the property class whose taxes for municipal and school purposes for 2000, as determined under subsection 447.65 (2) of the *Municipal Act*, exceed their taxes for municipal and school purposes for 2001 as adjusted in accordance with the regulations in respect of changes in taxes for municipal purposes and changes in taxes for school purposes.
- 1.3 The purpose of this section is to clarify the respective rights and obligations of the City and all persons liable for tax during the fiscal year 2001.
- 1.4 This section shall be deemed to have come into effect on January 1, 2001.

2. Recovery for 2002

- 2.1 For the purposes of section 447.69 of the *Municipal Act*, in order to recover all or part of the revenues foregone as a result of the application of section 447.65 of the Act to properties within the property classes specified in Schedule "A" to this By-law, the percentage by which tax decreases for 2002 in respect of properties subject to Part XXII.3 of the Act shall be limited shall be as set out in the column headed "2002 Decrease" in that Schedule.
- 2.2 Section 2.1 shall apply to all properties in the property class whose taxes for municipal and school purposes for 2001, as determined under subsection 447.68 (2) of the *Municipal Act*, exceed their taxes for municipal and school purposes for 2001 as adjusted in accordance with the regulations in respect of changes in taxes for municipal purposes and changes in taxes for school purposes.

3. Saving

- (1) In the event that a provision of this By-law is held to be void or unenforceable by a final judgment of a court of competent jurisdiction, the remaining provisions of this By-law shall remain in effect unamended.
- (2) In the event that one or more of the percentages specified in Schedule "A" is found by a court of competent jurisdiction to exceed the percentage decrease that the City may establish under subsections 447.67(1) or 447.69(1) of the *Municipal Act*, then Schedule "A" shall be deemed to have always provided that the percentage decrease shall be the maximum percentage allowable under those sections, as determined by that Court.
- (3) Where subsection (2) applies, any excess tax collected by the City in respect of a property shall be applied to the taxes payable in respect of that same property in the next following fiscal year.

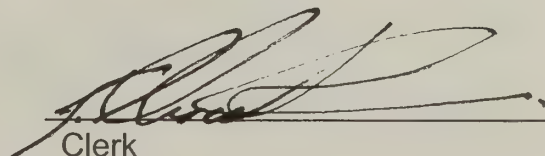
SCHEDULE "A"

Property Class	2001 Decrease	2002 Decrease
Commercial	39 per cent	4.25 per cent
Industrial	23.5 per cent	0
Multi-residential	17 per cent	63 per cent

PASSED and ENACTED this 14th day of August, 2002.



Mayor



Clerk

CITY OF HAMILTON

BY-LAW NO. 02-220

A By-law to Amend By-law 02-153

(A By-law to Levy a Special Charge upon the Ratable Property in the Business Improvements Areas for the Year 2002)

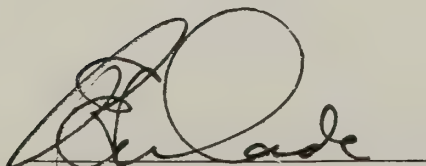
WHEREAS Council enacted By-law No. 02-153 to levy a special charge upon the ratable property in the business improvements area for the year 2002;

AND WHEREAS Council wishes to amend Schedule 'A' to provide for some updated information on current value assessments data for the business improvement areas.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. THAT By-law No. 02-153 is amended, by repealing Schedule 'A' to By-law No. 02-153 and replacing it with Schedule 'A' from this By-law.
2. THAT Schedule 'A' is attached and forms a part of this By-law.
3. That in all other aspects, By-law No. 02-153 is confirmed without change.

PASSED and ENACTED this 14th day of August, 2002.



MAYOR



CLERK

CITY OF HAMILTON

BY-LAW NO. 02-220

2002 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Schedule "A"
Page 1 of 7

Table 1 - Concession Street

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual - vacant bldg, excess land	CT \$ 17,095,004	2.2420	38,326,144	\$ 38,326,144	0.002768987	\$ 47,335.84
3c Commercial - Shopping - vacant bldg, excess land	CU \$ ST \$ SU \$	1.5694 2.2420 1.5694	- - -	\$ - \$ - \$ -	0.001938291 0.002768987 0.001938291	\$ - \$ - \$ -
3b Commercial - Parking Lot & Vacant Land	GT & CX \$ 601,000	2.2420	1,347,412	\$ 1,347,412	0.002768987	\$ 1,664.16
4a Industrial - Residual - vacant bldg, excess land,	IT \$ IU \$	3.5621 2.3153	- -	\$ - \$ -	0.004399415 0.002859620	\$ - \$ -
4b Industrial - Large - vacant bldg, excess land	LT \$ LU \$	4.1770 2.7150	- -	\$ - \$ -	0.005158878 0.003353271	\$ - \$ -
Total	\$ 17,696,004		\$ 39,673,556	\$ 39,673,556		\$ 49,000.00

Approved 2002 Budget \$ 49,000 divided by assessment vacancy adjusted \$ 39,673,556 equals tax rate 0.00123508 at ratio 1.00.

Table 2 - Westdale

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual - vacant bldg, excess land	CT \$ 11,102,151	2.2420	24,890,467	\$ 24,890,467	0.004053269	\$ 45,000.00
3c Commercial - Shopping - vacant bldg, excess land	CU \$ ST \$ SU \$	1.5694 2.2420 1.5694	- - -	\$ - \$ - \$ -	0.002837288 0.004053269 0.002837288	\$ - \$ - \$ -
3b Commercial - Parking Lot & Vacant Land	GT & CX \$	2.2420	-	\$ -	0.004053269	\$ -
4a Industrial - Residual - vacant bldg, excess land,	IT \$ IU \$	3.5621 2.3153	- -	\$ - \$ -	0.006439905 0.004185938	\$ - \$ -
4b Industrial - Large - vacant bldg, excess land	LT \$ LU \$	4.1770 2.7150	- -	\$ - \$ -	0.007551614 0.004908549	\$ - \$ -
Total	\$ 11,102,151		\$ 24,890,467	\$ 24,890,467		\$ 45,000.00

Approved 2002 Budget \$ 45,000 divided by assessment vacancy adjusted \$ 24,890,467 equals tax rate 0.001807921 at ratio 1.00.

CITY OF HAMILTON

BY-LAW NO. 02-220

Schedule "A"
Page 3 of 7

2002 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 5 - Barton Village

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 9,832,594	2.2420	22,044,184	22,044,184	0.001894656	\$ 18,629.39
- vacant bldg, excess land	CU \$ -	1.5694	-	-	0.001326259	-
3c Commercial - Shopping	ST \$ -	2.2420	-	-	0.001894656	-
- vacant bldg, excess land	SU \$ -	1.5694	-	-	0.001326259	-
3b Commercial - Parking Lot & Vacant Land	GT & CX \$ 123,700	2.2420	277,329	277,329	0.001894656	\$ 234.37
4a Industrial - Residual	IT \$ 77,416	3.5621	275,760	275,760	0.003010264	\$ 233.04
- vacant bldg, excess land,	IU \$ -	2.3153	-	-	0.001956671	-
4b Industrial - Large	LT \$ 1,672,333	4.1770	6,985,268	6,985,268	0.003529920	\$ 5,903.20
- vacant bldg, excess land	LU \$ -	2.7150	-	-	0.002294448	-
Total	\$ 11,706,043		\$ 29,582,541	29,582,541		\$ 25,000.00

Approved 2002 Budget \$ 25,000 divided by assessment vacancy adjusted \$ 29,582,541 equals tax rate 0.000845093 at ratio 1.00.

Use Rateable Assessment

* Westinghouse 2/3 assessment reduction as per By-law 98-15

030-233-06050, 030-237-03410, 030-237-09140

	Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Adj Tax	Net Tax
Residual Commercial	030-237-03410, 030-23 CX	179,100	\$ 119,400	\$ 59,700	\$ 339.33	\$ 226.22
-vacant unit, excess land	LU	-	-	-	-	-
Residual Industrial	IT	-	-	-	-	-
Residual Industrial	IU	-	-	-	-	-
Large Industrial	030-233-06050 LT	5,017,000	\$ 3,344,667	\$ 1,672,333	\$ 17,709.61	\$ 11,806.41
		5,196,100	\$ 3,464,067	\$ 1,732,033	\$ 18,048.94	\$ 12,032.63
						\$ 5,903.20
						\$ 6,016.31

CITY OF HAMILTON

BY-LAW NO. 02-220

Schedule "A"
Page 4 of 7

2002 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 6 - Downtown

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT/DT \$ 65,870,511	2.2420	147,678,392	147,678,392	0.002276015	\$ 149,922.29
- vacant bldg, excess land	CU	1.5694	-	-	0.001593211	-
3c Commercial - Shopping	ST \$ 159,820	2.2420	358,308	358,308	0.002276015	\$ 363.75
- vacant bldg, excess land	SU	1.5694	-	-	0.001593211	-
3b Commercial - Parking Lot & Vacant Land	GT & CX \$ 4,707,333	2.2420	10,553,605	10,553,605	0.002276015	\$ 10,713.96
4a Industrial - Residual	IT \$ -	3.5621	-	-	0.003616173	-
- vacant bldg, excess land,	IU \$ -	2.3153	-	-	0.002350513	-
4b Industrial - Large	LT \$ -	4.1770	-	-	0.004240427	-
- vacant bldg, excess land	LU \$ -	2.7150	-	-	0.002756277	-
Total	\$ 70,737,664		\$ 158,590,306	\$ 158,590,306		\$ 161,000.00

Approved 2002 Budget \$ 161,000 divided by assessment vacancy adjusted \$ 158,590,306 equals tax rate 0.001015194 at ratio 1.00.

Use Rateable Assessment

* Ramada and Howard Johnson's 2/3 assessment reduction as per By-law 92-119

	Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Adj Tax	Net Tax
Residual Commercial	CT 5,672,020	3,781,347	1,890,673	\$ 12,909.60	\$ 8,606.40	\$ 4,303.20
130 King E	ST 479,460	319,640	159,820	\$ 763.88	\$ 727.51	\$ 363.75
020 152 00010	CU	-	-	\$ -	-	-
	SU	-	-	\$ -	-	-
	6,151,480	4,100,987	2,050,493	\$ 13,673.48	\$ 9,333.91	\$ 4,666.95
Howard Johnson's	CT 3,282,000	2,188,000	1,094,000	\$ 7,469.88	\$ 4,979.92	\$ 2,489.96
112 King E	GT 187,000	124,667	62,333	\$ 425.61	\$ 283.74	\$ 141.87
02015150430						
gt 02015150460	3,469,000	2,312,667	1,156,333	\$ 7,895.50	\$ 5,263.66	\$ 2,631.83

CITY OF HAMILTON

BY-LAW NO. 02. 22 0

Schedule "A"
Page 5 of 7

2002 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 7 - King Street West

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 3,939,629	2.2420	8,832,451	8,832,451	0.000761493	\$ 3,000.00
- vacant bldg, excess land	CU \$ -	1.5694	-	-	0.000533045	-
3c Commercial - Shopping	ST \$ -	2.2420	-	-	0.000761493	-
- vacant bldg, excess land	SU \$ -	1.5694	-	-	0.000533045	-
3b Commercial - Parking Lot & Vacant Land	GT & CX \$ -	2.2420	-	-	0.000761493	-
4a Industrial - Residual	IT \$ -	3.5621	-	-	0.001209874	-
- vacant bldg, excess land,	IU \$ -	2.3153	-	-	0.000786418	-
4b Industrial - Large	LT \$ -	4.1770	-	-	0.001418732	-
- vacant bldg, excess land	LU \$ -	2.7150	-	-	0.000922176	-
Total	\$ 3,939,629		8,832,451	8,832,451		\$ 3,000.00

Approved 2002 Budget \$ 3,000 divided by assessment vacancy adjusted \$ 8,832,451 equals tax rate 0.000339657 at ratio 1.00.

Table 8 - Main Street West

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 7,699,481	2.2420	17,261,851	17,261,851	0.000428600	\$ 3,300.00
- vacant bldg, excess land	CU \$ -	1.5694	-	-	0.000300020	-
3c Commercial - Shopping	ST \$ -	2.2420	-	-	0.000428600	-
- vacant bldg, excess land	SU \$ -	1.5694	-	-	0.000300020	-
3b Commercial - Parking Lot & Vacant Land	GT & CX \$ -	2.2420	-	-	0.000428600	-
4a Industrial - Residual	IT \$ -	3.5621	-	-	0.000680968	-
- vacant bldg, excess land,	IU \$ -	2.3153	-	-	0.000442629	-
4b Industrial - Large	LT \$ -	4.1770	-	-	0.000798522	-
- vacant bldg, excess land	LU \$ -	2.7150	-	-	0.000519039	-
Total	\$ 7,699,481		17,261,851	17,261,851		\$ 3,300.00

Approved 2002 Budget \$ 3,300 divided by assessment vacancy adjusted \$ 17,261,851 equals tax rate 0.000191173 at ratio 1.00.

BY-LAW NO. 02-220

Schedule "A"
Page 7 of 7

Property Class

[illegible]

Authority: Item 3 Hearings Sub Committee
Report 01-029 (PD01184)
CM: November 13, 2001

Bill No. 221

CITY OF HAMILTON

BY-LAW NO. 02-221

**To Amend Zoning By-law No. 6593, as amended by Zoning By-law 00-073,
Respecting Lands Located South of Royal Vista Drive and West of Upper Gage
Avenue, Owned by Jayzee Projects Limited**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

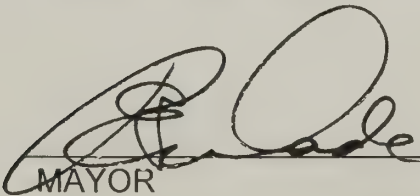
AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 01-029 of the Hearing Sub Committee at its meeting held on the 13th day of November, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

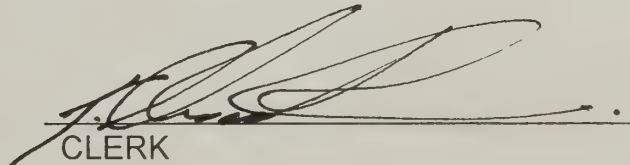
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

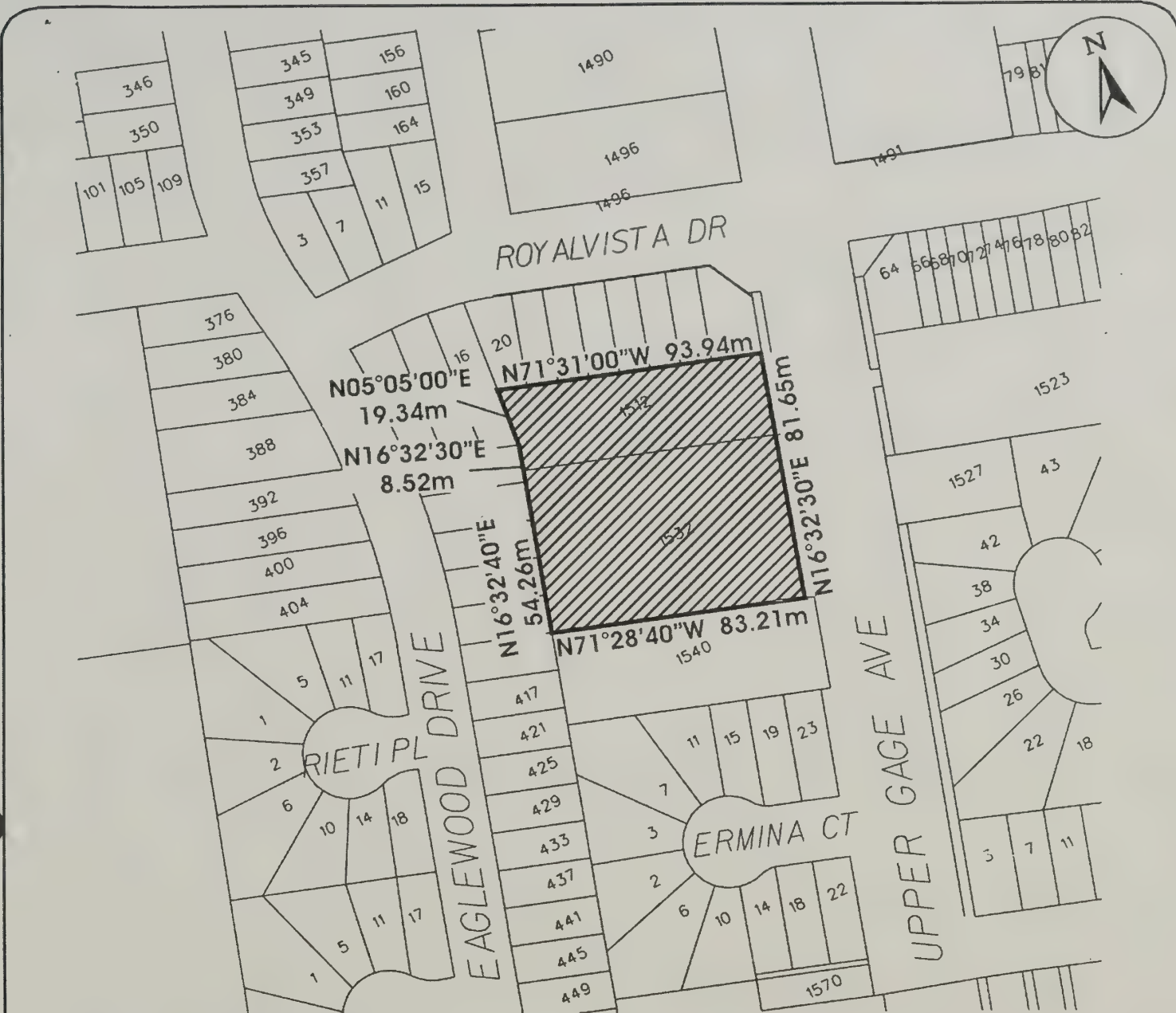
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 00-073 (Hamilton), passed on the 9th of May, 2000, to the "C"-H' (Urban Protected Residential, etc. - Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 00-073 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593 (Hamilton).
2. Sheet No. E-38D of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 00-073, is further amended, by changing from "C"-H' (Urban Protected Residential, etc. - Holding) District, to "C" (Urban Protected Residential, etc.) District, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, etc.) District provisions.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

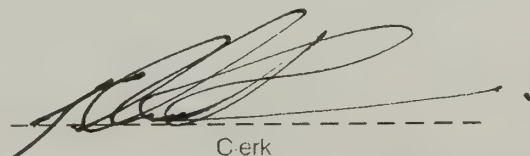
PASSED and ENACTED this 14th day of August, 2002.


MAYOR


CLERK



This is Schedule "A" to By-Law No. 02-221.....
 Passed the 14th day of August, 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

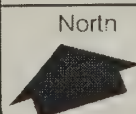
Map Forming Part of
 By-Law No. 02-221
 to Amend By-Law No. 6593

Planning and Development Department

Legend



Subject Property
 Change in Zoning from "C"-'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District.



North

Scale
 NOT TO SCALE

Date
July 29, 2002

Reference File No.
ZAR-00-21

Drawn By
LM

Bill No. 222

CITY OF HAMILTON

BY-LAW NO. 02-222

**To Amend By-law No. 01-169,
Respecting the Control and Licensing of Dogs and Kennels**

WHEREAS Council deems it expedient to regulate the keeping of dogs and to impose controls and prohibitions for the purpose of health and safety of the public and their animals;

AND WHEREAS paragraphs 1 through 13 of section 210 of The Municipal Act, R.S.O. 1990, Chapter M.45 authorize bylaws for regulating or prohibiting the keeping of animals, licensing and registration of dogs, prohibiting and regulating the running of dogs at large, for regulating animal breeding or boarding establishments and for providing pounds and related fees;

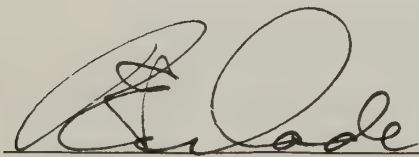
AND WHEREAS Council at its meeting of July 10, 2002, in approving item 25 of the Committee of the Whole Report No. 02-026, did resolve that the lease-free designation of Warren Park within the former Town of Dundas be temporarily repealed;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-169 is hereby amended by deleting clause "(a)", in its entirety, from Section 4(3) thereof and by substituting in its place the following clause, namely:

 "(a) Warren Park (former Town of Dundas), during the period commencing September 16th and extending to June 30th, both dates inclusive;"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-169, including all Schedules thereto, as amended is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 14th day of August , 2002



MAYOR

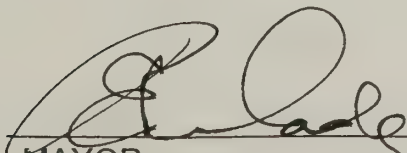


CLERK

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A-30" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing the zoning of the lands that are located at 214 and 216 Dundas Street, (Waterdown) from Urban Commercial (Holding) "UC-8" (H) Zone to Urban Commercial "UC-8" Zone by removing the suffix "H" those lands located within Part of Lot 9, Concession 3, (Former Town of Flamborough) more particularly shown on Schedule "A" which forms part of this By-law.
2. Section 17: Urban Commercial "UC" Zone of Zoning By-law No. 90-145-Z (Flamborough), is hereby further amended by deleting Section 17.3.8(b), and replacing it with the following:
 - b) Any use permitted in a Urban Residential "R4" Zone, subject to the provisions of Section 9.2 and not in conjunction with any other permitted use and notwithstanding the following special zone provisions for Semi-detached Dwellings:
 1. Minimum front Yard Setback 6.0m
 2. Maximum Deck Coverage 5.2%
 3. Maximum Lot coverage for Principle Dwellings 49%
 4. That each lot within Block 4 on the draft plan comprise of A lot frontage of 6.1 metres, and a lot area of 188 square metres.
3. All other regulations of Section 17 Urban Commercial "UC" Zone and Section 5, General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
4. When approved, this by-law will come into effect in accordance with Section 34 of the Planning Act, R.S.O., 1990, as amended.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 14th day of August, 2002 .

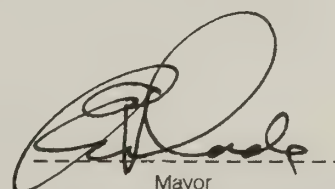

MAYOR


CLERK



This is Schedule "A" to By-Law No. 02 -223.....
 Passed the14th day of August, 2002.


 Clerk


 Mayor

City of Hamilton

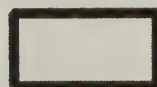
Schedule "A"

Map Forming Part of
 By-Law No. 02-223

to Amend By-Law No. 6593

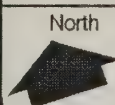
Planning and Development Department

Legend



Subject Lands

Change in zoning from "UC-8(H)"
 (Urban Commercial Holding) District
 to "UC-8" (Urban Commercial
 Modified) District



North

Scale
 NOT TO SCALE

Date
 April 8, 2002

Reference File No.
 ZAC-02-01

Drawn By
 MC

CITY OF HAMILTON

BY-LAW NO. 02- 224

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 4 (Special Event Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Maple Gate Drive	Highway 8 to Parkmanor Drive
Millikin Drive	Highway 8 to Parkmanor Drive
Parkmanor Drive	Silverlace Circle to easterly end of Parkmanor Drive
Silverlace Circle	Park Manor Drive clockwise to Parkmanor Drive
Yellowwood Drive	Winona Road to Silverlace Circle"

2. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by deleting from Subsection 2(a) of Section "E" thereof (2 hours at .50 per hour) the following item, namely:

"Upper Wentworth West 6.4m north of Concession to 8.5m south of Alpine"

3. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Graham West from 17.5m north of Main 15 min Anytime Anyday"
to 13.4m northerly

4. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

"Tally Ho South Lantern Lane to Overfield Street Anytime"

and by adding to Section "E" thereof the following items, namely:

"Halam North Upper Sherman to East 28th Anytime

Barton North from 17.1m west of Milton to 7.5m westerly Anytime

Concession South from 26.5m west of East 25th to 28.9m westerly Anytime

King South from 33.2m west of Emerald to 14.1m westerly Anytime

Claudette East & Adele to 117.7m northerly and easterly around Anytime"
South the perimeter of the curve

and by adding to Section "F" thereof the following items, namely:

"Paramount Both From the south-west intersection with Mud Anytime
Drive Street to Amberwood Street

Paramount Both Amberwood Street to Apex Court Anytime
Drive

Paramount Both Apex Court to the eastern intersection with Anytime
Drive Mud Street

Paramount Drive	Both	From the eastern intersection with Mud Street to Winterberry Drive	Anytime
Paramount Drive	Both	Winterberry Drive to the former Stoney Creek-Hamilton Boundary	Anytime
Winterberry Drive	Both	Paramount Drive to the southern intersection with Mud Street	Anytime
King Street East	North	From 40m east of Lake Avenue Drive to 14.4m easterly	Anytime
Highland Road West	South	Gatestone Drive to 44.6m easterly	Anytime
Highland Road West	North	Gatestone Drive to 40.9m easterly	Anytime
Highland Road West	North	Gatestone Drive to 44.3m westerly	Anytime
Highland Road West	South	Gatestone Drive to 41.9m westerly	Anytime
Highland Road West	South	Second Road West to 41.7m easterly	Anytime
Highland Road West	North	Second Road West to 51.1m easterly	Anytime
Highland Road West	North	Second Road West to 38.2m westerly	Anytime"

and by deleting from Section "F" thereof the following items, namely:

"Second Street South	West	From King Street to a point 15m south	Anytime
Second Street South	West	From King Street to a point 15m south	Anytime
Paramount Drive	Both	From a point 45m north of Mud Street to Old Mud Street	Anytime

Paramount Drive	Both	From Amesbury Crescent (west branch) to Amesbury Crescent (east branch)	Anytime"
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and by deleting from Section "G" thereof the following item, namely:

"Paramount Dr.	Both	Upper Mt. Albion Rd. to Mud St.	Anytime"
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and by deleting from Section "G(l)" thereof the following item, namely:

"Concession South from 33.9m west of East 25th to 20.7m westerly Anytime"

5. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Wood	South	from 115.8m east of Mary to 7m easterly	Anytime
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Cumberland	South	from 61m west of the extended west curb line of Lorne to 5.6m westerly	Anytime
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Leinster	East	from 15.6m north of Beechwood to 9.8m northerly	Anytime
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Albany	North	from 23m west of Cope to 6.5m westerly	Anytime
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William	East	from 110.9m south of Birge to 7.3m southerly	Anytime
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William	West	from 116.3m south of Birge to 6m southerly	Anytime
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West	West	from 28.7m north of King William to 6m northerly	Anytime
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West	East	from 39m north of King William to 5.2m northerly	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Wood	South	commencing 115.8m east of Mary and extending 70m meters easterly therefrom	Anytime
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Paling	West	commencing 291 feet north of Vansitmart and extending 23 feet northerly therefrom	Anytime
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Keith	North	commencing 164 feet east of Douglas and extending to a point 21 feet easterly therefrom	Anytime
Picton	South	commencing at a point 173 feet east of Bay to a point 17 feet easterly therefrom	Anytime
Primrose	North	commencing 29 feet west of Cavell and extending 18 feet westerly therefrom	Anytime
Primrose	South	commencing 56 feet west of the west curb line of Cavell and extending 18 feet westerly therefrom	Anytime
Somerset	South	commencing 334 feet west of Barnesdale to a point 18 feet westerly	Anytime"

6. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "D" thereof the following items, namely:

"Leeming Road	North	From 835.7m east of Highway #6 to 225.9m easterly	Anytime
Leeming Road	South	From 809.4m east of Highway #6 to 250.8m easterly	Anytime"

and by adding to Section "E" thereof the following items, namely:

"Graham	West	Main to 17.5m northerly	Anytime
Barton	North	Milton to 17.1m westerly	Anytime
Barton	North	from 26.6m west of Milton to 17m westerly	Anytime
Barton	North	Westinghouse to 9.2m easterly	Anytime
Concession	South	East 25 th to 20.5m westerly	Anytime
Rymal	South	Upper James to West 5 th	Anytime
Kenilworth	West	Cambridge to 9.1m southerly	Anytime

Kenilworth	West	From 15.7m south of Cambridge to Roxborough	Anytime
Claudette	North & West	from 72.8m west of Roland to 41m westerly and southerly around the perimeter of the curve	Anytime
Glen	South	Bond to Parkside	7:00 a.m. to 6:00 p.m. Monday to Saturday
Bond	West	King to the northern intersection with Glen	7:00 a.m. to 6:00 p.m. Monday to Saturday
Wilson	North	West Ave. to 33.2m westerly	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Weir	West	Vansitmart to 96 feet northerly	Anytime
Bond	West	commencing 75 feet north of the north curb line of Glen (east leg) and extending to a point 20 feet south of the south curb line of Glen (east leg)	Mon. – Sat. 7:00 a.m. to 6:00 p.m.
Wilson	North	West to 33.2m easterly therefrom	Anytime"

and by adding to Section "F" thereof the following items, namely:

"King Street East	North	Lake Avenue Drive to 31m easterly	Anytime
Highland Road West	North	From the eastern intersection with Cityview Crescent to 18.9m easterly	Anytime
Highland Road West	South	Second Road West to 41.2m westerly	Anytime
Highland Road West	South	Sidney Crescent to 17.9m easterly	Anytime
Highland Road West	North	Carlson Street to 15.2m easterly	Anytime

Barton North from 91.9m east of the extended east curb Anytime
Street East line of Christina Avenue to 92.3m easterly

Barton South from 94.5m east of Christina Avenue to 89.2m Anytime"
Street East easterly

and by deleting from Section "G" thereof the following items, namely:

"Barton North Milton to 135 feet westerly Anytime

Kenilworth West Cambridge to Roxborough Anytime"

7. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Stirton West From 34.4m south of Cannon to Anytime"
8m southerly

and by deleting from Section "E" thereof the following [item or items], namely:

"Stirton West From 34.4m south of Cannon to 7:00 a.m. to 6:00 p.m."
8m southerly Monday to Saturday

8. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

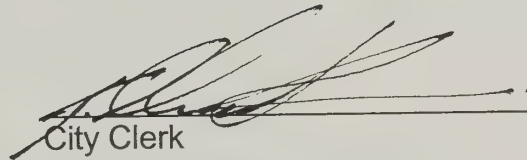
"King Street North From 31m east of Lake Avenue Drive to 9m Anytime"
East easterly

9. Section 1 of this By-Law shall be repealed and no longer in force and effect at 1:00 a.m. on the 26th day of August, 2002.
10. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

11. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 14th day of August, 2002.



Mayor

City Clerk

Bill No. 225

CITY OF HAMILTON

BY-LAW NO. 02-225

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 1394 Upper Gage Avenue East (Hamilton)
Owned by Cantrico Investments Inc.**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3 of Report 02-024 of the Hearings Sub Committee at its meeting held on the 10th day of July, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-38c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) By changing from "L-mr-1" (Planned Development - Multiple Residential) District to "H" (Community Shopping and Commercial, Etc.) District,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. The "H" (Community and Shopping Centre, Etc.) District regulations, as contained in Section 14, of Zoning By-law 6593, as amended by By-law Nos. 81-190, 81-244, and 82-19, applicable to Blocks "1" and "2", be further modified as follows:

- (a) Section 17B. (6) (a) (ii) of Zoning By-law No. 6593 shall not apply to the subject lands;
- (b) Section 2. of Zoning By-law 81-190 be repealed in its entirety;
- (c) Notwithstanding Section 14. (1) of Zoning By-law No. 6593, only the following uses shall be permitted on Blocks "1" and "2":
 - (i) Retail Drugstore;
 - (ii) Barbershop, hairdressing establishment or beauty parlour;
 - (iii) Bank;
 - (iv) Offices for medical or dental practitioners;
 - (v) Offices for use by insurance agents, lawyers, auditors, or realtors;
 - (vi) A collecting and distributing station for a laundry or dry cleaner; and,
 - (vii) A retail store;
- (d) Notwithstanding Section 14. (1) of zoning By-law No. 6593, a gas bar shall be permitted only within Block "2";
- (e) Notwithstanding Section 14. 9 (i) of Zoning By-law 6593, a planting strip of not less than 6.0 metres in width shall be provided and maintained along the rear lot line adjoining a residential district;

- (f) Notwithstanding Section 14. 9 (i) of Zoning By-law 6593, a planting strip of not less than 3.0 metres in width shall be provided and maintained along the side lot line adjoining a residential district; and,
 - (g) Notwithstanding Section 14. 9 (ii) of Zoning By-law 6593, where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum width of 3.0 metres, shall be provided and maintained along the entire street line of the lot, except the area used for access driveways;
- 3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirements referred to in Section 2.
 - 4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-751c.
 - 5. Sheet No. E-38c of the District Maps is amended by marking the subject lands S-751c.
 - 6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 14th day of August, 2002 .



MAYOR

CLERK

STONE CHURCH ROAD EAST
N71°30'50"W / 74.38m

N16°32'30"E
55.78m

Block 1

N16°32'30"E
55.77m

Block 2

N16°32'30"E
46.73m

N71°30'50"W / 83.22m

ELMORE DR

UPPER GAGE AVENUE



This is Schedule "A" to By-Law No. 02-225.....
Passed the 14th day of August, 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

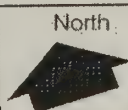
Map Forming Part of
By-Law No. 02-225

to Amend By-Law No. 6593

Planning and Development Department

Legend

- Subject Property**
1394 Upper Gage Avenue
Change in zoning from "LMR-1" (Multiple Residential) District to "H" (Community Shopping and Commercial) District.
- Block 1**
 Block 1
- Block 2**
 Block 2 for a further modification to the "H" (Community Shopping and Commercial) District, Modified.



Scale
NOT TO SCALE

Date
July 4, 2002

Reference File No.
ZAC-02-30

Drawn By
NM

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 226

City of Hamilton

BY-LAW No. 02-226

Respecting:

**REMOVAL OF PART LOT CONTROL
WITHIN A PORTION OF
"MEADOWLANDS PHASE 4(b)" — PLAN 62M-895**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** - Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** - A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** - An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** - A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** - The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

By-law Respecting the exemption of lands from part lot control
"Meadowlands Phase 4B", Plan 62M-895

2

(7.5) **Amendment or repeal.** - The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

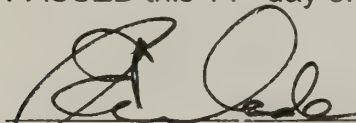
AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating 42 lots in accordance with Reference Plan 62R-15504, of which Parts 1 to 44, inclusive, are to be developed as forty-two (42) freehold townhouse dwelling units and associated maintenance easements and rights of encroachments, shall not apply to the following lands:
Blocks 76 to 81, Registered Plan Number 62M-895, in the former Town of Ancaster.
2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which this By-law remains in force, shall expire on the following specified date: August 14, 2003

PASSED this 14th day of August, 2002.


MAYOR


CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 02-227

A By-law to authorize the issue of Debentures in the principal amount of \$27,500,000 for the purposes of the City of Hamilton herein referred to.

WHEREAS it is now deemed necessary to raise money required (a) to refund at maturity outstanding debentures of the City issued under By-law No. 92-085 for such works specified in Schedule "A" and (b) to pay part of the cost of the last work referred to in Schedule "A" by the issue and sale of serial debentures in aggregate principal amount of \$27,500,000 (the "Debentures") bearing interest at the rates hereinafter set out and maturing in varying instalments of principal over a period of 10 years which is the amount of debt intended to be created by this By-law.

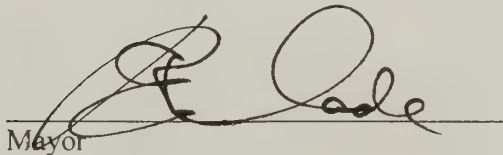
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$27,500,000 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated August 16, 2002, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on August 16 in each of the years 2003 to 2012, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on February 16 and August 16 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at

least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. The Treasurer is hereby authorized to complete the sale of the Debentures in accordance with an agreement dated July 31, 2002 with RBC Dominion Securities Inc. and CIBC World Markets Inc., and to enter into a letter of representations agreement with The Canadian Depository for Securities Limited and generally do all things and execute all documents as required to complete the issue and sale of the Debentures.
7. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 14th day of August, 2002.


Mayor


Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO. 02-227
TERM: 10 YEARS

(1) PROJECT	(2) TERM IN YEARS	(3) AUTHORIZING BY-LAW	(4) PERMITTED REFINANCING LIMITS	(5) DEBENTURES TO BE ISSUED
PROJECTS REFINANCED FROM BY-LAW 92-085				
CITY OF HAMILTON				
CONSTRUCTION OF A SENIOR CITIZENS CENTRE AT SACKVILLE MEMORIAL PARK	10	R92-082	71,521	71,521
CONSTRUCTION OF A NEW WEST MOUNTAIN TWIN PAD ARENA INCLUDING ROAD IMPROVEMENTS	10	R92-082	3,816,840	3,816,840
RENOVATE & RETROFIT HUNTINGTON PARK RECREATION CENTRE	10	R92-082	1,142,640	1,142,640
HYDRO STREET LIGHTING CONVERSION TO HIGH PRESSURE SODIUM	10	R92-082	296,240	296,240
MAJOR MAINTENANCE TO CIVIC BUILDINGS	10	R92-082	317,400	317,400
IMPROVEMENTS TO FIRE DEPARTMENT RADIO SYSTEM	10	R92-082	846,400	846,400
CONVERSION OF EXISTING STREET LIGHTING SYSTEM TO HIGH EFFICIENCY LIGHTING	10	R92-082	1,204,046	1,204,046
1992 RECONSTRUCTION OF ROADS, CURBS, SIDEWALKS & ALLEYS AT VARIOUS LOCATIONS	10	R92-082	1,274,678	1,274,678
INSTALLATION OF FLOODLIGHTING AT MOHAWK SPORTS PARK	10	R92-082	35,930	35,930
CENTRAL / BEASLEY P.R.I.D.E. HOUSING INTENSIFICATION PROGRAM	10	R92-082	304,704	304,704
SUBTOTAL			9,310,397	9,310,397
ANCASTER				
ERECTION OF A NEW COMMUNITY RECREATION CENTRE (ARENA)	10	R92-082	1,269,597	1,269,597
REGION OF HAMILTON - WENTWORTH				
CONSTRUCTION OF NEW POLICE HEADQUARTERS	10	R92-083	1,650,479	1,650,479
WATER	10	R92-083	2,868,096	2,868,096
SANITARY SEWER	10	R92-083	3,183,201	3,183,201
STORM SEWER	10	R92-083	744,608	744,608
ROADS	10	R92-083	4,198,238	4,198,238
RED HILL EXPRESSWAY	10	R92-083	2,962,526	2,962,526
HOSPITALS	10	R92-083	120,829	120,829

POLICE						846,823	846,823
ADMINISTRATION - GENERAL GOVERNMENT						172,275	172,275
SUBTOTAL						16,747,076	16,747,076
TOTAL REFINANCED FROM BYLAW 92-085						27,327,070	27,327,070

(1) PROJECT	(2) TERM IN YEARS	(3) AUTHORIZING RESOLUTION	(4) AMOUNT OF DEBENTURES AUTHORIZED	(5) DEBENTURES ISSUED TO DATE	(6) BALANCE OF DEBENTURES AUTHORIZED	(7) DEBENTURES TO BE ISSUED
NEW PROJECTS FINANCED - 2002						
CLAREMONT ACCESS	10	Item 28 in FCS02036 Committee of the Whole Report approved by Council May 23, 2002	6,000,000	4,365,000	2,135,000	172,930
TOTAL DEBENTURE ISSUE						27,500,000

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 02-227

Year	Interest Rate (%)	Principal (\$) July 12	Interest (\$) February 16	Interest (\$) August 16	Total Annual Payment (\$)
2003	3.125	2,217,000.00	665,561.25	665,561.25	3,548,122.50
2004	3.625	2,297,000.00	630,920.62	630,920.62	3,558,841.24
2005	4.000	2,395,000.00	589,287.50	589,287.50	3,573,575.00
2006	4.500	2,505,000.00	541,387.50	541,387.50	3,587,775.00
2007	4.750	2,628,000.00	485,025.00	485,025.00	3,598,050.00
2008	5.125	2,765,000.00	422,610.00	422,610.00	3,610,220.00
2009	5.250	2,914,000.00	351,756.87	351,756.87	3,617,513.74
2010	5.500	3,078,000.00	275,264.37	275,264.37	3,628,528.74
2011	5.625	3,255,000.00	190,619.37	190,619.37	3,636,238.74
2012	5.750	<u>3,446,000.00</u>	<u>99,072.50</u>	<u>99,072.50</u>	<u>3,644,145.00</u>
TOTAL		<u>\$27,500,000.00</u>	<u>\$4,251,504.98</u>	<u>\$4,251,504.98</u>	<u>\$36,003,009.96</u>

Authority: Item 15, Hearings Sub-Committee
Report 02-026 (PD02161)
CM: August 14, 2002

Bill No. 228

CITY OF HAMILTON

BY-LAW NO. 02-228

**To Amend Zoning By-law No. 3581-86 (Dundas), as amended
Respecting Lands Located at 50 Hatt Street (Dundas)
Owned by 1186468 Ontario Ltd.,**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Dundas" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May 1988;

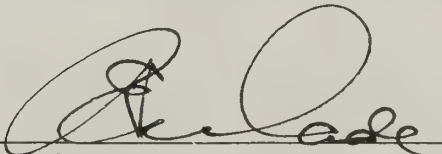
AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Dundas).

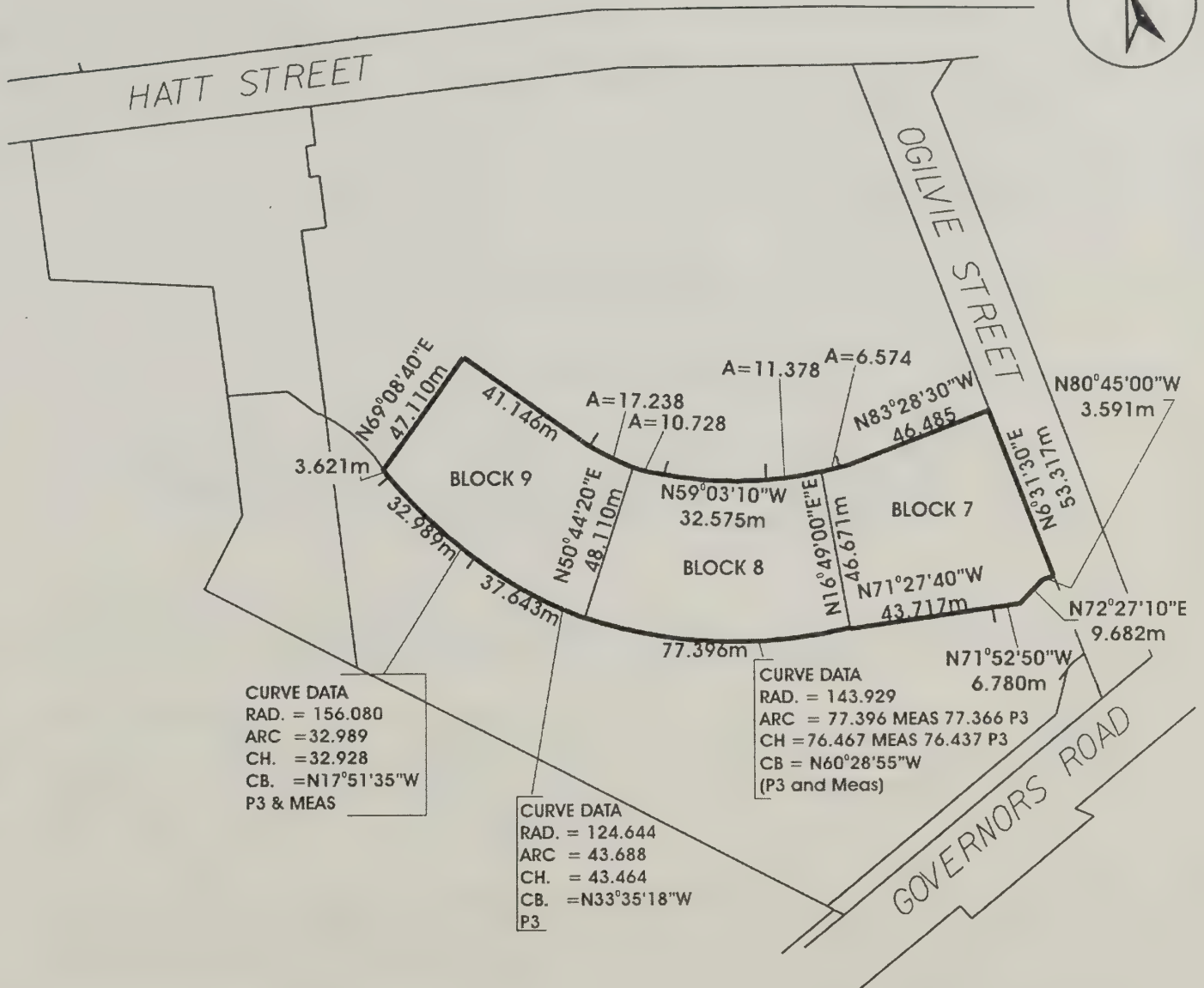
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A" of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby amended by changing from Modified Holding High Density Multiple Dwelling Zone "H-RM4/S-82" to Modified High Density Multiple Dwelling Zone "RM4/S-82" by removing the suffix "H" for those lands located at 50 Hatt Street more particularly shown on Schedule "A" which forms part of this By-law.

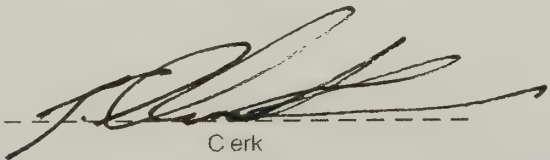
2. All other regulations of the Modified High Density Multiple Dwelling Zone "RM4/S-82", as amended and the General Provisions of Zoning By-law No. 3581-86 (Dundas) shall continue to apply.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

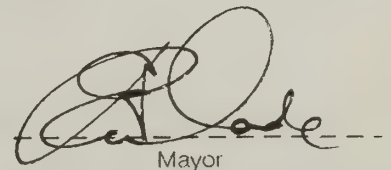
PASSED and ENACTED this 14th day of August, 2002 .


MAYOR
CLERK



This is Schedule "A" to By-Law No. 02-228
Passed the 14th day of August, 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02-228

to Amend By-Law No. 3581-86

Planning and Development Department

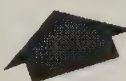
Legend



Subject Property

50 Hatt Street
Removal of Holding Provision from the
Modified Holding High Density Multiple
Dwelling Zone "H-RM4/S-82" for Blacks
7,8 and 9 in the draft plan of subdivision,
"Spencer Creek Village"

North



Scale

NOT TO SCALE

Date

August 7, 2002

Reference File No.

ZAR-02-51

Drawn By

NM

Authority: Item 13, Hearings Sub-Committee
Report 02-026 (PD02158)
CM: August 14, 2002

Bill No. 229

CITY OF HAMILTON

BY-LAW NO. 02-229

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 1576 Kirkwall Road (Flamborough)
Owned by Brad Jacobs and Karen Ricketts**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

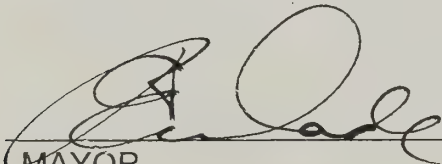
AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

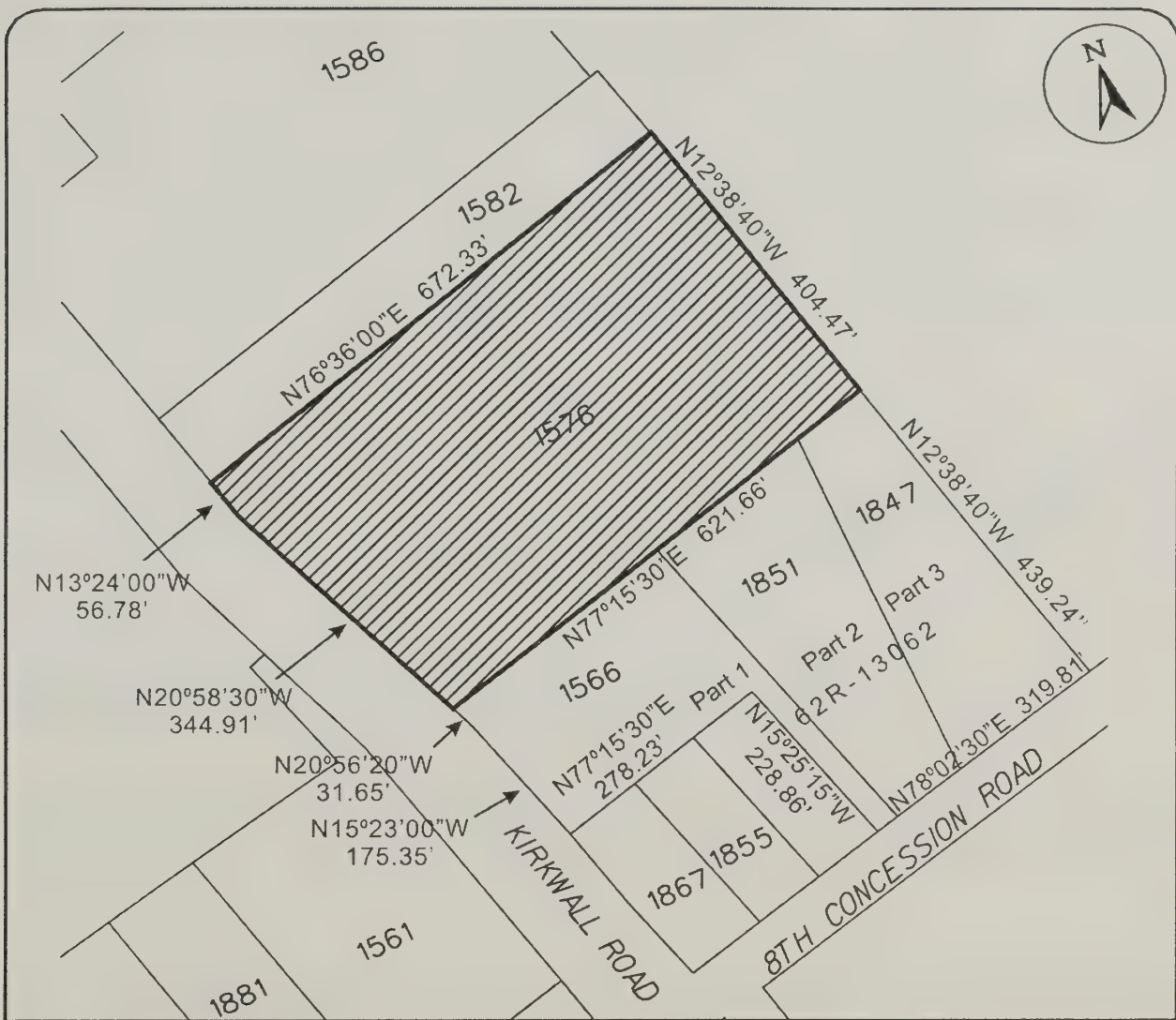
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A-40" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing from the Settlement Residential Holding Zone "R2-3 (H)" to Settlement Residential Zone "R2-3" by removing the suffix "H" for those lands located at 1576 Kirkwall Road more particularly shown on Schedule "A" which forms part of this By-law.

2. All other regulations of Section 7 – Settlement Residential Zone, “R2-3” Zone, as amended and the General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 14th day of August, 2002 .


MAYOR
CLERK



This is Schedule "A" to By-Law No. 02-229.....
 Passed the .. 14th day of August .., 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-229
 to Amend By-Law No. 90-145-Z

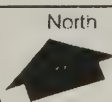
Planning and Development Department

Legend



Subject Property

Removal of "H" holding provision
 from Neighbourhood Residential
 "R2-3(H)" zone



Scale
 NOT TO SCALE

Date
 July 25, 2002

Reference File No
 ZAR-02-52

Drawn By
 CL

Authority: Item 14, Hearings Sub-Committee
Report 02-026 (PD02160)
CM: August 14, 2002

Bill No. 230

CITY OF HAMILTON

BY-LAW NO. 02-230

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 419 Ofield Road South (Flamborough)
Owned by 1090370 Ontario Limited**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

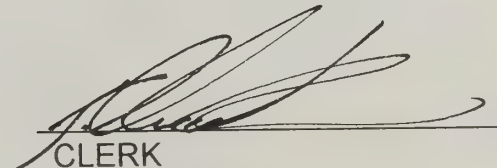
1. Schedule "A-37" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing from the Rural Industrial Holding Zone "M3 (H)" to Rural Industrial Zone "M3" by removing the suffix "H" for those lands located at 419 Ofield Road South more particularly shown on Schedule "A" which forms part of this By-law.

2. All other regulations of Section 31 – Rural Industrial Zone, “M3” Zone, as amended and the General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

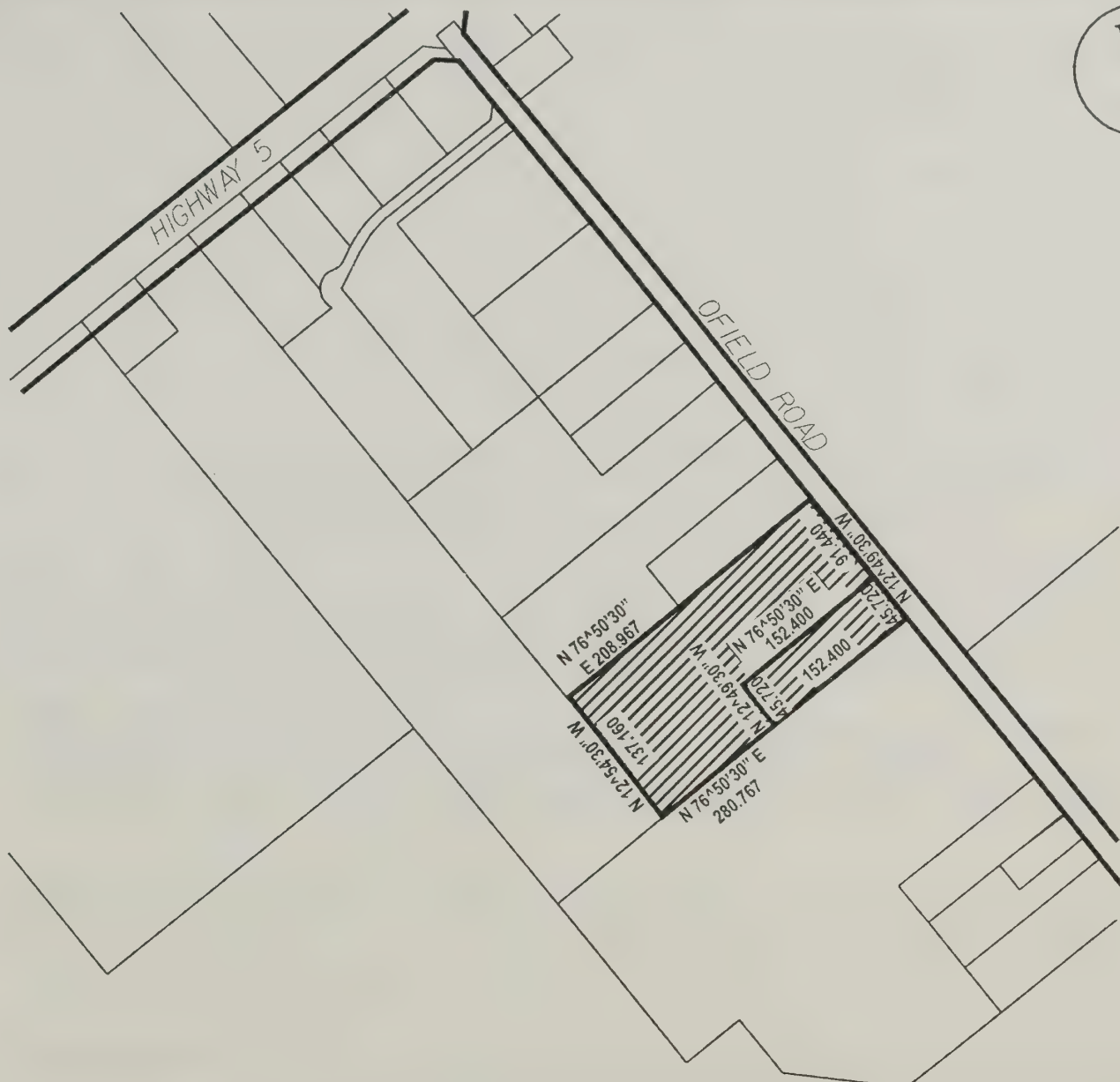
PASSED and ENACTED this 14th day of August, 2002 .



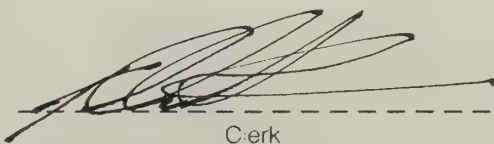
MAYOR



CLERK



This is Schedule "A" to By-Law No. 02-230.....
Passed the 14th day of August, 2002.


Clerk
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02-230
to Amend By-Law No. 90-145-Z

Planning and Development Department

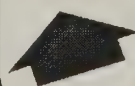
Legend



Subject Property

Remove the 'H' provision from the
"M3" Rural Industrial Zone at
419 Olfield Road (Flamborough)

North



Scale
NOT TO SCALE

Date
July 26, 2002

Reference File No.
ZAR-02-44

Drawn By
SN

Bill No. 231

CITY OF HAMILTON

BY-LAW NO. 02-231

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 155 Stone Church Road West
Owned by 1403288 Ontario Inc. (c/o J. Rubino)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 4 of Report 02-024 of the Hearings Sub Committee at its meeting held on the 10th day of July, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-4 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District,

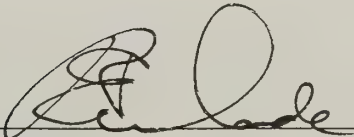
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

- 2. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593 (City of Hamilton), applicable to the subject lands, be modified to include the following variances as special requirements:

- (a) That notwithstanding Section 4.(3)(a) of Zoning By-law No. 6593, a maximum of twelve (12) single-family dwellings shall be permitted;
- (b) That in addition to the requirements of Subsection 2.(2)J.(xi) of Zoning By-law No. 6593, "Lot" shall mean a Unit within a Vacant Land Condominium Corporation pursuant to the Condominium Act, 1998;
- (c) That notwithstanding Subsection 2.(2)J.(xiii) of Zoning By-law No. 6593, "Lot-Line Front" with reference to a Unit within a Vacant Land Condominium Corporation shall mean the boundary line along the common element designed and intended for, or used for, the passage of vehicles;
- (d) That in addition to the requirements of Sections 9A and 18A of Zoning By-law No., 6593, a landscaped area having a minimum average width of 6.0 metres shall be provided and maintained along Stone Church Road West, except for the area used for access driveways;
- (e) That in addition to the requirements of Sections 9A and 18A of Zoning By-law No. 6593, landscaped area having a minimum width of 7.5 metres shall be provided and maintained adjacent to a residential district, except for the common element area designed and intended for, or used for, the manoeuvring of vehicles;
- (f) That in addition to the requirements of Section 18A of Zoning By-law No. 6593, a landscaped area having a minimum width of 3.0 m shall be provided and maintained between the boundary of a common element area designed and intended for, or used for, the manoeuvring of vehicles and a residential district;
- (g) That notwithstanding Subsection 9A.(2)(b)1.(i) of Zoning By-law No. 6593, a front yard of a depth of at least 4.5 metres to the main wall of the dwelling and 6.0 metres to the garage or carport shall be provided and maintained;

- (h) That notwithstanding Subsections 9A.(2)(c)1. and 9A.(2)(c)2. of Zoning By-law No. 6593, every lot within a Vacant Land Condominium Corporation shall have a width of at least 9.9 m and an area of at least 250 square metres within the district;
 - (i) That notwithstanding Subsection 9A.(2)(a) of Zoning By-law No. 6593, no building shall exceed one and a half storeys, and no structure shall exceed 10.0 metres in height
- 3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in section 2.
 - 4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1469.
 - 5. Sheet No. W-4 of the District Maps are amended by marking the subject lands referred to in sections 1 and 2 of this by-law, S-1469.
 - 6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

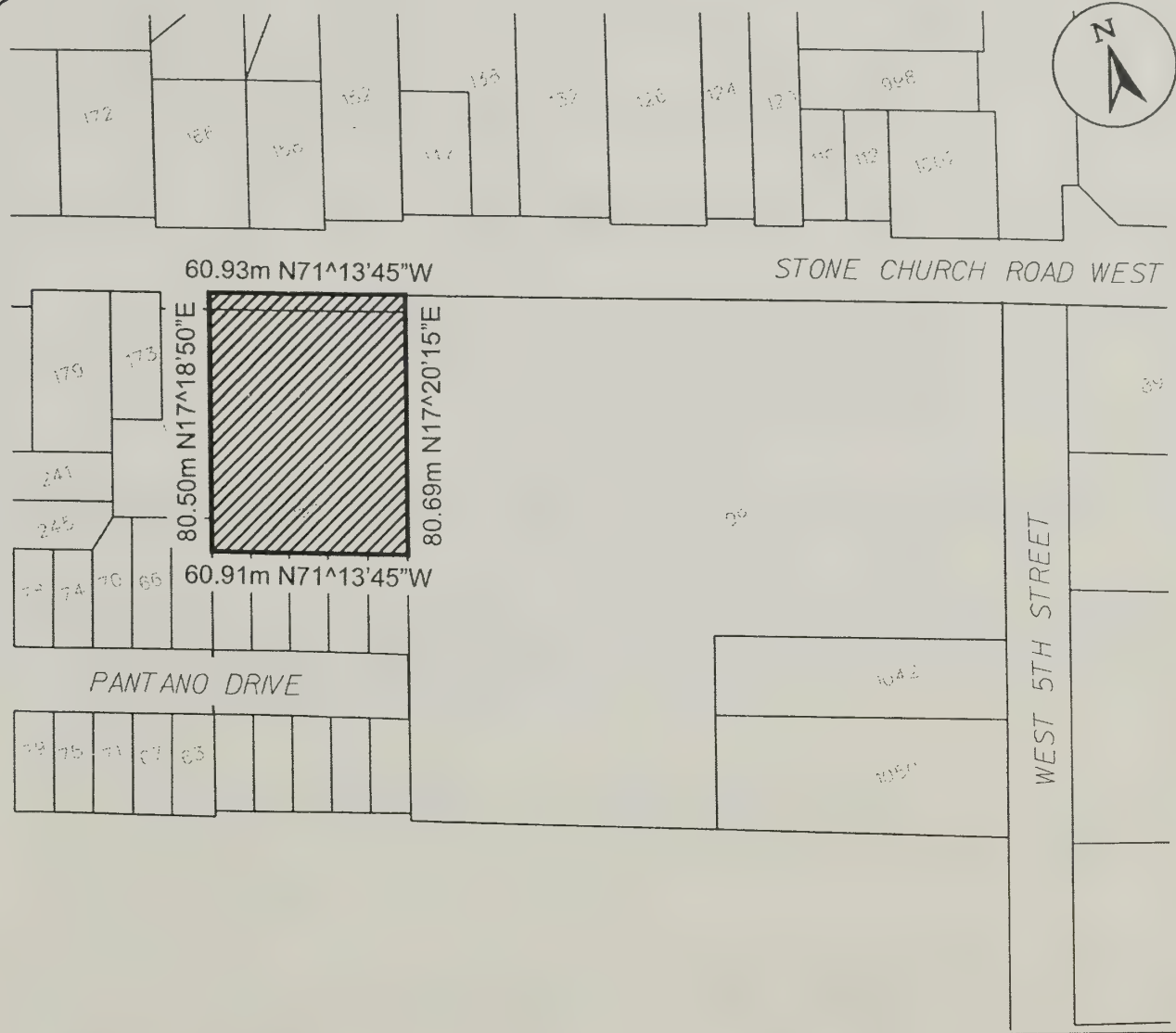
PASSED and ENACTED this 14th day of August, 2002



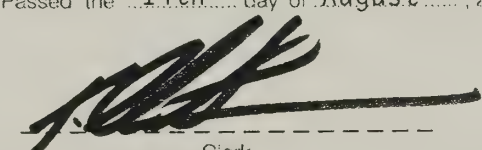
MAYOR



CLERK



This is Schedule "A" to By-Law No. 02 - 231.....
Passed the 14th day of August, 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02- 231
to Amend By-Law No. 6593

Planning and Development Department

Legend

 **Subject Property**
Change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, modified



North

Scale
NOT TO SCALE

Date
July 8, 2002

Reference File No.
ZA-02-27

Drawn By
MC

Bill No. 232

CITY OF HAMILTON

BY-LAW NO. 02-232

**To Amend Site Plan Control By-law No. 79-275
Respecting Lands Located at 155 Stone Church Road West
Owned by 1403288 Ontario Inc. (c/o J. Rubino)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Site Plan Control By-law No. 79-275 (Hamilton) on the 25th day of September, 1979;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 4 of Report 02-024 of the Hearings Sub Committee at its meeting held on the 10th day of July, 2002, recommended that Site Plan Control By-law No. 79-275 (Hamilton), be amended as hereinafter provided;

AND WHEREAS it is desirable to amend Site Plan Control By-law No. 79-275 to establish site plan control on the land hereinafter referred to;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B" to Site Plan Control By-law No. 79-275 is amended by adding the following thereto,

187 Section 2 of Site Plan Control By-law No. 79-275, as amended, shall not apply to the lands shown on Schedule "A",

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

2. Appendix 187 to Site Plan Control By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and Site Plan Control By-law No. 79-275, as amended.

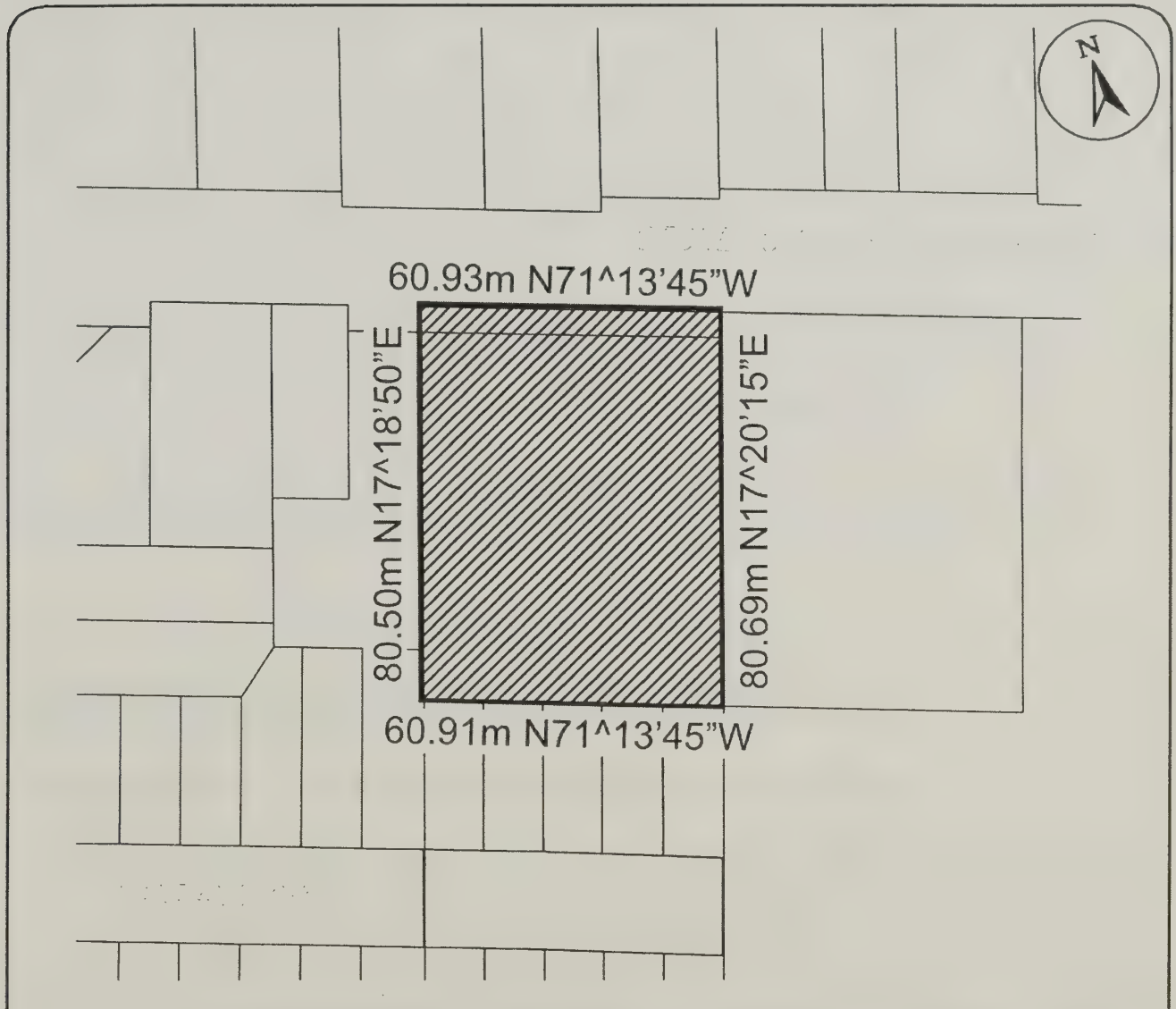
PASSED and ENACTED this 14th day of August, 2002



MAYOR

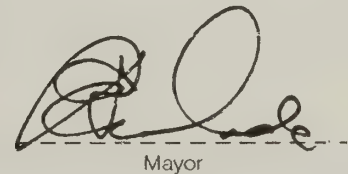
CLERK

SCHEDULE "A"



This is Schedule "A" to By-Law No. 02 -232.....
 Passed the 14th day of August, 2002.


 Clerk


 Mayor

City of Hamilton

Appendix 187

to the By-Law No. 79-275
 as Amended by By-Law No. 87223

Planning and Development Department

Legend



Subject Property
 Lands designated under this By-Law
 as an area of Site Plan Control pursuant
 to section 41 of the Planning Act,
 R.S.O. 1990.

North



Scale
NOT TO SCALE

Date
July 8, 2002

Reference File No.
ZA-02-27

Drawn By
MC

Bill No. 233

City of Hamilton

BY-LAW No. 02-233

Respecting:

REMOVAL OF PART LOT CONTROL

**WITHIN A PORTION OF
"FIFTY ROAD JOINT VENTURE - Phase 1" - Block 155 and Part Block 159,
PLAN 62M-950**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
 - (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
 - (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
 - (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
 - (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the City of Stoney Creek;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of nineteen (19) street townhouse units and to allow for thirteen (13) maintenance easements, shall not apply to the following designated land:

Block 155 and Part of Block 159, Registered Plan Number 62M-950, in the City of Hamilton (Stoney Creek).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on August 31st, 2003.

PASSED and ENACTED this 14th day of August, A.D. 2002.


MAYOR


CLERK

Authority: Item 12 Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 234

City of Hamilton

BY-LAW No. 02-234

Respecting:

REMOVAL OF PART LOT CONTROL

WITHIN BLOCKS 169 AND 170 OF

PLAN 62M-926, "MEADOWLANDS- PHASE 5"

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Town of Ancaster;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

AND WHEREAS By-law Nos. 02-205 and 02-206, as passed on July 10, 2002 removed Part Lot Control from lands described as Parts 2 to 22 inclusive, on Reference Plan 62R-16175 for the purpose of allowing the conveyance of 21 individual parcels;

AND WHEREAS the landowner is desirous in establishing a 3 metre wide utility easement over the said parts which shall be in favour of hydro, gas and cable utilities and Bell as well as the condominium corporation with respect to streetlighting, designated as Parts 1 to 21 on Reference Plan 62R-16215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law Nos. 205 and 206 be hereby repealed.

By-law to remove Part Lot
Control and establish utility
easement on Blocks 169 and
170 of Plans 62M-926

3

2. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of the following land into twenty-one (21) residential parcels for their development as single detached residential lots, described as Parts 2 to 22 inclusive on Reference Plan 62R-16175 shall not apply to lands within the portions of the registered plan of subdivision that are designated as follows:

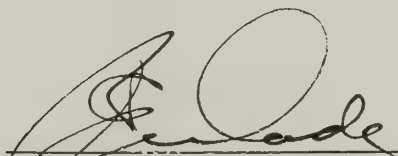
Block 169 and Block 170, Plan 62M-926, in the Former Town of Ancaster

3. Subsection 5 of Section 50 of the Planning Act, for the purpose of establishing a 3 metre wide utility easement over Parts 2 to 22 on Reference Plan 62R-16175, described as Parts 1 to 21 on Reference Plan 62R-16215, shall not apply within the portions of the registered plan of subdivision that is designated as follows:

Blocks 169 and 170, Plan 62M-926, in the Former Town of Ancaster

4. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
5. This By-law shall cease, expire and be of no further effect on August 14, 2003.

PASSED this 14th day of August, 2002.


MAYOR
CITY CLERK

752401 Ontario Inc.
PLC-01-18
PLC-01-19

Bill No. 235

CITY OF HAMILTON

BY-LAW NO. 02-235

**To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 29 (Weight Restriction on Bridges) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof the following item, namely:

"Alberton Road	Creek 0.3 km south of Jerseyville Road	10 Tonnes
Carluke Road	Creek 1.6 km west of Fiddler's Green Road	10 Tonnes"

and by adding to Section "C" thereof the following item, namely:

"Studiman Road Culvert	Creek 0.3 km north of Hwy. 8	10 Tonnes"
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and by adding to Section "D" thereof the following item, namely:

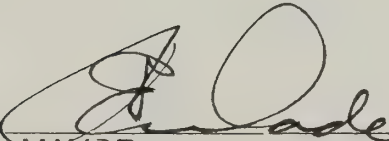
"Trinity Church Road	Creek 0.6 km north of Hall Road	5 Tonnes"
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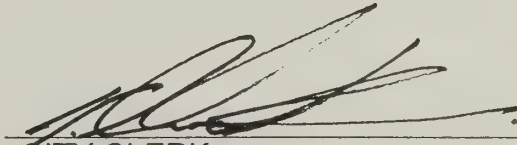
and by adding to Section "E" thereof the following item, namely:

"Bay Street Bridge	Railway at Strachan Street West	10 Tonnes
Mary Street Bridge	Railway at Strachan Street East	4 Tonnes
Mountain Brow Blvd Bridge	Creek at Arbour Road	5 Tonnes"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 14th day of August, 2002


MAYOR


CITY CLERK

Bill No. 236

**THE CITY OF HAMILTON
BY-LAW NO. 02-236
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 228 ON PLAN 62M-635
INTO MEADOWLANDS BOULEVARD**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Meadowlands Boulevard within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Meadowlands Boulevard.

Firstly:

Block 228 on Plan 62M-635.

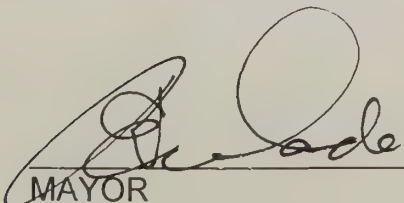
Secondly:

Part of Lots 50 and 51, Concession 3, in the Geographic Township of Ancaster, described as Parts 2, 8, 10 and 11 on Plan 62R-11205.

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of August A.D., 2002


MAYOR


CITY CLERK

Bill No. 237

THE CITY OF HAMILTON
BY-LAW NO. 02-237
TO INCORPORATE CITY LAND
DESIGNATED AS PART OF LOT 45 ON PLAN 62R-8044
INTO GOLFLINKS ROAD

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Golflinks Road within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

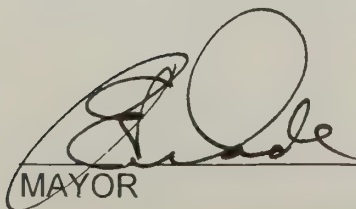
1. That the following land is hereby established and laid out as a public highway to form part of Golflinks Road.

Part of Lot 45, Concession 2, in the Geographic Township of Ancaster, described as Parts 4, 5, and 6 on Plan 62R-8044.

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of August A.D., 2002


MAYOR


CITY CLERK

Bill No. 238

**CITY OF HAMILTON
BY-LAW NO. 02-238
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

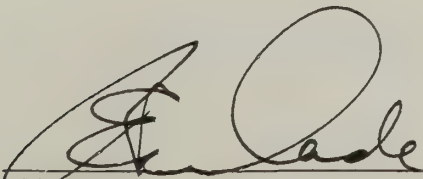
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Craigroyston	Northbound and Southbound	Lucerne
Central	Eastbound and Westbound	Houghton"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 14th day of August, 2002


MAYOR


CLERK

Bill No. 239

CITY OF HAMILTON

BY-LAW NO. 02-239

**To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

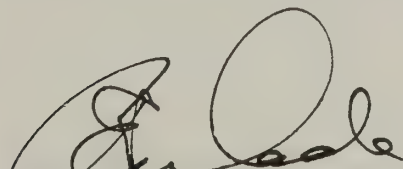
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 13 (Designated Traffic Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "G" thereof the following items, namely:

"Nash	120m south of	2nd lane from	Anytime	Northerly to
	Barton to Barton	East curb		Westerly"
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 14th day of August, 2002


MAYOR


CLERK

Bill No. 240

CITY OF HAMILTON

BY-LAW NO. 02- 240

To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 12(2) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom the clause, "provided that the above shall not apply to stopping in obedience to traffic control devices, the directions of a Police Officer, or the safety or convenience of other traffic" in its entirety, and by substituting in its place the following clause, namely:

"save and except where suitable signs are erected and maintained indicating that perpendicular or angle parking is required and provided that the above shall not apply to stopping in obedience to traffic control devices, the directions of a Police Officer, or to accommodate the safety or convenience of pedestrian or vehicular traffic"

2. Section 12(3) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom the clause, "provided that the above shall not apply to stopping in obedience to traffic control devices, the directions of a Police Officer, or the safety or convenience of other traffic" in its entirety, and by substituting in its place the following clause, namely:

"save and except where suitable signs are erected and maintained indicating that perpendicular or angle parking is required and provided that the above shall not apply to stopping in obedience to traffic control devices, the directions of a Police Officer, or to accommodate the safety or convenience of pedestrian or vehicular traffic"

3. Section 12(5)(k) of By-law No. 01-218, as amended, is hereby further amended by adding thereto the following clause, namely:

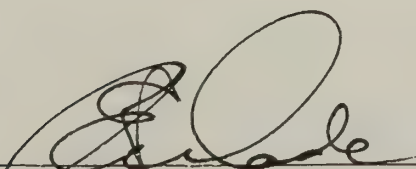
"(iii) where parking has been specifically permitted pursuant to Section 22(7) of this by-law; or,"

4. Section 22 of By-law No. 01-218, as amended, is hereby further amended by adding thereto the following subsection, namely:

"(7) Without limiting the generality of subsection (6) above, the Manager is hereby authorized to temporarily prohibit parallel parking and implement perpendicular or angle parking, on such highways or part highways and during such times and days as he deems proper and necessary, in the interest of the safety or convenience of the public, the proper movement of traffic, or the proper and safe performance of any function or activity of, or approved by, the City. In this case, the Manager shall cause to be erected suitable signs upon said highways or part highways, or remove or cover or cause to be removed or covered such signs as may exist upon said highways, or otherwise give public notice to indicate the aforesaid change in regulation, which notice may include the painting or placement of ground markings. For the purpose of this subsection, "highways or part highways" is deemed to specifically include any roadway, boulevard and shoulder of the road"

5. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
6. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 14th day of August 2002


MAYOR


CLERK

THE CITY OF HAMILTON

BY-LAW NO. 02- 241

To Confirm the Proceedings of City Council at its meeting held on August 14, 2002

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

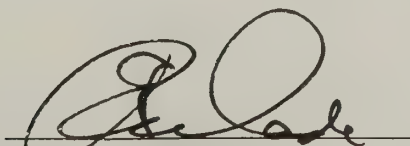
1. The Action of City Council at its meeting held on the 14th day of August, 2002 in respect of each recommendation contained in:

Report 02-028 of the Committee of the Whole,
Report 02-029 of the Committee of the Whole,
Report 02-026 of the Hearings Sub-Committee,
Report 02-027 of the Hearings Sub-Committee,
Report 02-008 of the Grants Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 14th day of August, 2002



MAYOR



CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 02-242

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

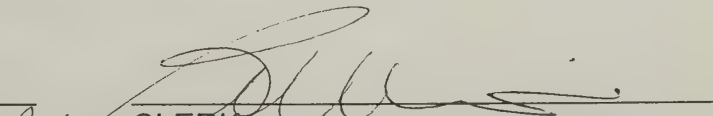
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Subsection "6" of Section "G" thereof the following item, namely:

"Gray Rd. Highway 8 King St. 40"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002


MAYOR


Acting CLERK

City of Hamilton

BY-LAW NO. 02-243

To Designate:

LAND LOCATED AT MUNICIPAL NO. 758 OLD HIGHWAY 8 (ROCKTON)

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

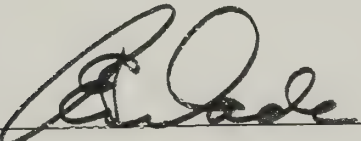
AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

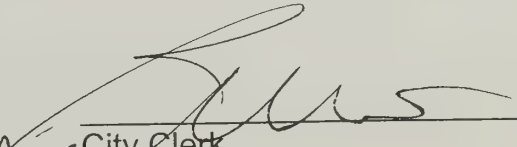
1. The property located at Municipal No. 758 Old Highway 8, Rockton, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;

- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 11th day of September, 2002.



Mayor



Acting City Clerk

Schedule "A"
To
By-Law No.

758 Old Highway 8, Rockton, Hamilton, Ontario

Part Lot 21, Concession 4, Beverly, as described in BV776, former Town of
Flamborough, now City of Hamilton

Schedule "B"
To By-law No. 02-

St. Albans Church and Cemetery
758 Old Highway 8, Rockton, Hamilton, Ontario

REASONS FOR DESIGNATION

Context

St. Albans Anglican Church and Cemetery is located on Old Highway 8 just south of the Village of Rockton, in the former Town of Flamborough (now the City of Hamilton). Its small burial ground is located on the north side of the church. Adjoining the church property is a larger triangular-shaped burial ground to the east, originally known as the Morden (Methodist) Cemetery and now owned and operated by the City as Rockton Cemetery. The rural character of the village is still largely undisturbed. Opposite the church on the other side of the road is a 19th century Ontario farmhouse. Limited suburban development in the vicinity of the church consisting of well-spaced, and for the most part modest-sized houses has not undermined the pastoral setting.

History

The church, located on Lot 21, Concession IV, in the former Township of Beverly, stands on lands that were originally part of a two-hundred acre Crown Grant to Philip Carter in 1796. Following the transaction the property passed through several owners with a number of parcels of the original 200 acres being sold off. A half-acre parcel was eventually sold for \$75 by Margaret Blackburn to the Church Society, Diocese of Toronto on March 3 1869.

In that year, the present church, known as "St. Albans the Martyr", was built and a burial ground established to the north-east. The church was consecrated in 1871 and the first rector was Reverend R.J. Harrison. From 1869 to 1889, services were held twice daily on Sundays. During the first half of the twentieth century, the congregation slowly declined; and by 1949, services were held only once a month and ceased altogether in 1950. Since then the church has been occasionally used for services and concerts.

Prior to construction of St. Albans Anglican worship originated in the Township as a small congregation or mission at Romulus, near Sheffield, where Reverend Boomer of Galt held services. Anglican services in Rockton likely commenced in the late 1850s in the Beverly Township Hall, where they continued to be held until 1869 when St. Albans was erected. Only St. Albans, Grace Church (Waterdown) and Christ Church, (at Bullock's Corners in the former Township of West Flamborough) remain as examples of Anglican churches from the former townships of Beverly, East Flamborough and West Flamborough. St. Albans is now a rare surviving example of a rural Anglican church.

The small burial ground has 28 graves with approximately 25 standing markers of granite or marble. Interments date from 1871 (John Anderson) to 1983 (Hannah Abel). The gravestones bear the names of some early settlers to the area, including the Riddell, Alardyce, Vingo, and Rayner families. The most prominent individual buried here is Robert Kernighan a local poet and writer (1855-1926), whose grave is marked by a cairn.

Architecture

Constructed of locally quarried stone and designed in the Gothic Revival style, St. Albans is a simple but handsome example of a rural Anglican parish church. Its cruciform plan was typical of Anglican parish churches although many of the smaller rural churches were laid out with a simple rectangular plan. The main axis of the church has a very steeply-pitched gable roof echoed by the smaller roofs over the transepts and entrance vestibule, all with exposed rafters. The roof is crowned by a wood belfry with a spire-like roof positioned above the transepts. The main entrance to the church on the west façade is through a vestibule with a Gothic-arched doorway with a pair of solid wood doors. Flanking the entrance vestibule are lancet windows; just below the roof peak is a triangular vent (plastered over on the interior). The side and end walls of the transepts feature paired lancet windows; the rear altar wall has a triple lancet window. All of the lancet windows have sloping stone sills; all but the chancel windows are filled with diagonally-paned leaded glass.

The sparsely decorated interior has plain plastered walls above pine wainscoting and pine flooring. It is furnished simply with wood pews, a pipe organ, altar railing and furnishings (table, two reading stands, bishop's chair and bench) and three chandeliers for oil burning lamps. The plastered gambrel ceiling is articulated with wood ribbing. The focal point is the three stained glass windows in the chancel representing Faith, Hope and Charity, which were a gift from Chief Justice Harrison (brother of the Rector) from Toronto. On the north wall is a memorial plaque honouring Robert Kirkland Kernighan. Due to its occasional use only since 1950, the interior has never been serviced with electric lighting or a heating system.

Designated Features

Important to the preservation of St. Albans Church and Cemetery are:

- the original rubblestone walls and buttresses, cut stone sills, lancet windows, three doorways with plain vertical board doors, the steeply-pitched gable roofs with exposed rafters, and wood belfry with bell.
- the interior space, finishes and all built-in features: plastered walls and ceiling, wood ribbing, leaded and stained glass windows, wood pews, altar furnishings, chandeliers, and Kernighan plaque.
- the burial ground with its marble and granite grave markers.

Bill No. 244

CITY OF HAMILTON

BY-LAW NO. 02- 244

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

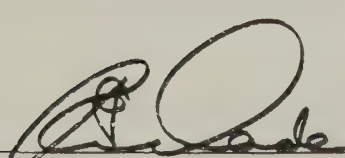
AND WHEREAS it is necessary to amend By-law No. 01-215;

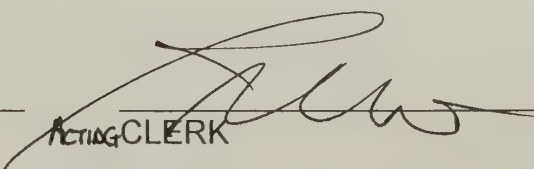
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Birchcliffe Eastbound and Westbound Brett"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002


MAYOR


ACTING CLERK

CITY OF HAMILTON

BY-LAW NO. 02-245

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 1411 and 1415 Upper Wellington Street and 261
Stone Church Road East
Owned by Christian Home Association of Mount Hamilton**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 5 of Report 02-026 of the Hearings Sub Committee at its meeting held on the 14th day of August, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Zoning By-law Nos. 83-165, 85-137, and 90-225 be repealed in their entirety.

2. That the April 3, 2001 Council approval for zoning application ZAC-01-01 (PD01060) of Hearing Sub- Committee Report 01-005 be repealed.
3. Sheet No. E-18C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District for Blocks "1", "3", and "4"; and,
 - (b) by changing from "C" (Urban Protected Residential, etc.) District to "DE-3" (Multiple Dwellings) District for Block "2",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

4. That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10.C of Zoning By-law 6593, applicable to Block "1", be modified to include the following variances, as special requirements:
 - (a) That notwithstanding Section 10C.(3)(ii)(b), a minimum 14.5m setback from the northerly limits of Block "1" shall be provided and maintained.
 - (b) That notwithstanding Section 10C.(3)(ii)(b), a minimum 6.0m setback from Stone Church Road East shall be provided and maintained.
 - (c) That notwithstanding Section 10C.(3)(ii)(b), a minimum 16.0m setback from the easterly limits of Block "1" shall be provided and maintained.
 - (d) That notwithstanding Section 10C.(3)(ii)(b), a minimum 3.0m setback from the westerly limits of Block "1" shall be provided and maintained.
 - (e) That Sections 18A.(11) and 18A.(12) shall not apply to parking and loading areas adjoining Block "1".
5. That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C. of Zoning By-law 6593, applicable to Block "2", be modified to include the following variances, as special requirements:
 - (a) That notwithstanding Section 10C.(3)(ii)(b), a minimum 26.0m setback from the southerly limits of Block "2" shall be provided and maintained.
 - (b) That notwithstanding Section 10C.(3)(ii)(b), a minimum 16.0m setback from the easterly limits of Block "2" shall be provided and maintained.
6. That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C. of Zoning By-law 6593, applicable to Block "3", be modified to include the following variances, as special requirements:

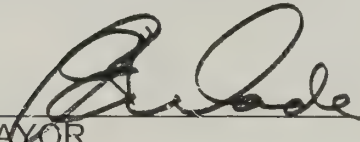
- (a) That notwithstanding Section 10C.(3)(ii)(b), a minimum 39.0m setback from the Stone Church Road East shall be provided and maintained for Block "3".
 - (b) That notwithstanding Section 10C.(3)(ii)(b), a minimum 12.8m setback from the westerly limits of Block "3" shall be provided and maintained.
 - (c) That notwithstanding Section 18A.(25), the existing westerly access driveway on Stone Church Road East shall be permitted.
 - (d) That Sections 18.(11) and 18A.(12) shall not apply to parking and loading areas adjoining Block "3".
7. That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C. of Zoning By-law 6593, applicable to Block "4", be modified to include the following variances, as special requirements:
- (a) That notwithstanding Section 10C.(1), the following Commercial Uses shall be permitted accessory to a long-term care facility:
 - (i) A retail variety store; and,
 - (ii) A barber, hairdressing or beauty parlour establishment.
 - (b) That all accessory Commercial uses permitted in clause (i), above, shall:
 - (i) have a total combined maximum floor area of 40m²;
 - (ii) have access only from within the interior of the building;
 - (iii) be located only on the ground floor of the building; and,
 - (iv) no indication of the existence or availability of any such use, whether by way of sign, display, or otherwise, shall be visible from the outside of the building.
 - (c) That notwithstanding Sections 10C.(1), 10C.(1)(vii), and 10C.(4)(iv), a long term care facility with a maximum of one hundred and twenty (120) beds or a seniors multiple dwelling with a maximum of forty-two (42) units shall be permitted on Block "4".
 - (d) That notwithstanding Section 10C.(3)(ii)(b), a minimum 7.5m setback from the northerly limits of Block "4" shall be provided and maintained.
 - (e) That notwithstanding Section 10C.(3)(ii)(b), a minimum 15.0m setback from the southerly limits of Block "4" shall be provided and maintained.
 - (f) That notwithstanding Section 10C.(3)(iii)(b), a minimum 7.5m setback from the easterly limits of Block "4" shall be provided and maintained.

- (g) That Section 10C.(8) shall not apply.
 - (h) That notwithstanding Section 18.(4)(iv), an accessory structure shall be permitted in a side yard.
 - (i) That Sections 18.(11) and 18A.(12) shall not apply to parking and loading areas adjoining Block "4".
 - (j) That notwithstanding Section 18A. (1)(a), not less than 0.85 parking spaces per dwelling unit shall be provided and maintained for a seniors multiple dwelling.
8. That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C. of Zoning By-law 6593, applicable to Blocks "1", "2", and "3", be modified to include the following variances, as special requirements:
- (a) That notwithstanding Section 10C.(1) and 10C.(4)(iv), a senior citizens multiple dwelling containing not more than 175 dwelling units shall be permitted.
 - (b) That for the purposes of this by-law, a "senior citizens multiple dwelling" means a multiple dwelling wherein all residents are not less than 60 years of age.
 - (c) That notwithstanding Section 18A.(1)(c), two loading spaces with minimum dimensions of 9.0 m long x 3.7m wide x 4.3 m high shall be provided and maintained for a senior citizens multiple dwelling.
 - (d) That notwithstanding Section 18A. (1)(a), not less than 0.85 parking spaces per dwelling unit shall be provided and maintained for a senior citizens multiple dwelling.
9. That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C. of Zoning By-law 6593, applicable to Blocks "1", "2", "3", and "4", be modified to include the following variances, as special requirements:
- (a) That notwithstanding Section 4.(3)(a), the development of two (2) buildings on the same lot shall be permitted.
 - (b) That notwithstanding Section 10C.(2), no building shall exceed three (3) storeys and 15.25m in height.
 - (c) That a visual barrier of not less than 1.2m and not more than 2.0m in height shall be provided and maintained along the entire easterly limits of Blocks "1", "2", and "4", except for any common boundary.
 - (d) That a visual barrier of not less than 1.2m and not more than 2.0m in height shall be provided and maintained along the northerly side lot line of

Blocks "1" and "4", for a minimum distance of 120m westerly, beginning from the easterly rear lot line on Block "4".

10. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" district provisions, subject to the special requirements referred to in Sections 4, 5, 6, 7, 8, 9, inclusive.
11. That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as schedule S-1471, and that the subject lands on Zoning District Map E-18C be noted S-1471.
12. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

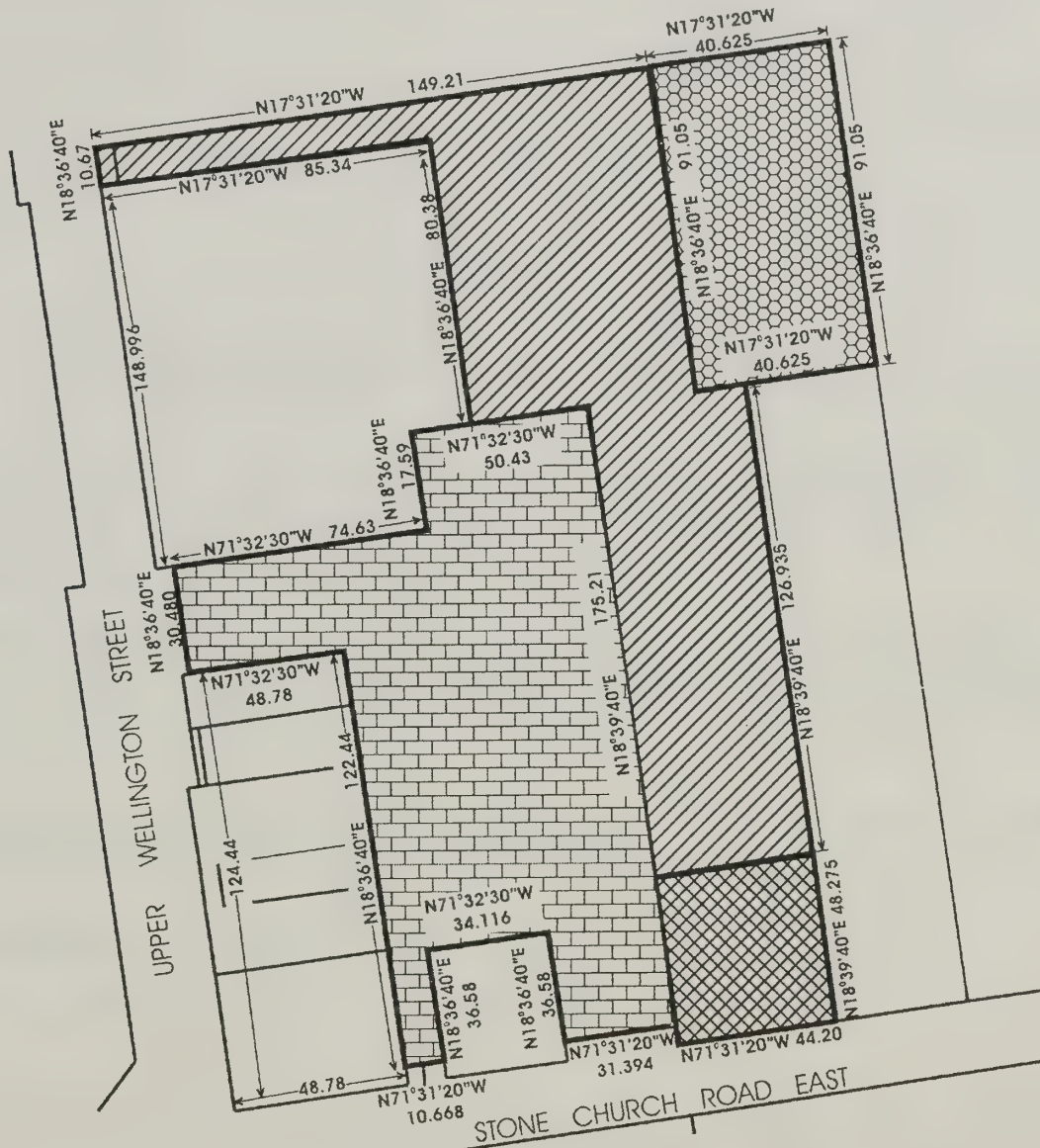
PASSED and ENACTED this 11th day of September, 2002



MAYOR



ACTING CLERK



is Schedule "A" to By-Law No. 02-245
 ed the 11th day of September, 2002.

[Signature]
 Acting Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-245

to Amend By-Law No. 6593

Planning and Development Department

Block 1



Change from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, Modified

Block 2



Change from "C" (Urban Protected Residential, etc) District to "DE-3" (Multiple Dwellings) District, Modified

Block 3

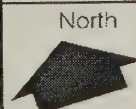


Change from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, Modified

Block 4



Change from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, Modified



Scale
 NOT TO SCALE

Date
 August 29, 2002

Reference File No.
 ZAR-02-33

Drawn By
 NM

CITY OF HAMILTON

BY-LAW NO. 02- 246

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 12(2) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom the clause, "provided that the foregoing shall not apply to stopping in obedience to traffic control devices, the directions of a Police Officer, or the safety or convenience of other traffic" in its entirety, and by substituting in its place the following clause, namely:

"save and except where suitable signs are erected and maintained indicating that perpendicular or angle parking is required and provided that the above shall not apply to stopping in obedience to traffic control devices, the directions of a Police Officer, or to accommodate the safety or convenience of pedestrian or vehicular traffic"

2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Bland Avenue	West from the property line between 39 and 41 Bland Avenue to the southern limit of Bland Avenue	Maximum two hour parking only
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Bland Avenue	East	from the property line between 38 and 40 Bland Avenue to the southern limit of Bland Avenue	Maximum two hour" parking only
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3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

"Overfield St.	East	Walnut Grove to 62.5m northerly	Anytime
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Overfield St.	East	from 193.5m north of Walnut Grove to Governor's Rd.	Anytime
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Overfield St.	West	Tally Ho to Governor's Rd.	Anytime"
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and by deleting from Section "B" thereof the following item, namely:

"Overfield St.	Both	Governor's Rd. to Tally Ho	Anytime"
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and by adding to Section "E" thereof the following items, namely:

"Ferguson	West	from 11.1m north of Young to 48.5m northerly	8:00 a.m. to 5:00 p.m. Fridays
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Reno	South	Upper Ottawa to Currie	Anytime"
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and by deleting from Section "E" thereof the following item, namely:

"Reno	South	Upper Ottawa to Palmer	Anytime"
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4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Ferguson	West	from 50.6m north of Ferrie to 4.8m northerly	Anytime
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Glendale	East	from 92.1m south of Barton to 6.9m southerly	Anytime
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Somerset	South	from 101.8m west of Barnesdale to 5.5m westerly	Anytime
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Queensdale North		from 20m east of West 2 nd to 6m easterly	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Beechwood South	commencing 93 feet east of Barnesdale and extending 22 feet easterly therefrom	Anytime
Cumberland South	commencing 108 feet west of St. Clair and extending 18 feet westerly therefrom	Anytime
East Bend East	commencing 90 feet south of Cannon and extending 17 feet southerly therefrom	Anytime
Ferguson West	commencing 166 feet north of Ferrie and extending 42 feet northerly therefrom	Anytime
West West	commencing at a point 133 feet south of Stinson to a point 20 feet southerly therefrom	Anytime"

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

"Overfield St.	East	from 126.4m north of Walnut Grove to 22.3m northerly	Anytime
Overfield St.	East	from 172.7m north of Walnut Grove to 20.8m northerly	Anytime"

and by adding to Section "C" thereof the following items, namely:

"Dundas St.	South	Flamboro St. to 21m westerly	Anytime"
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and by adding to Section "E" thereof the following items, namely:

"Ferguson West	Young to 11.1m northerly	Anytime
Queen Victoria North	from 6.3m west of the extended west curb line of Rainham to 28m easterly	Anytime
Reno South	Currie to Palmer	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Queen Victoria North	commencing at a point 40 feet east of the east curb line of Rainham to a point 74 feet westerly therefrom	Anytime"
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and by deleting from Section "G" thereof the following item, namely:

"Main	South Fairleigh to Sherman	Mon. – Fri."
		4:00 pm – 6:00 pm

6. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

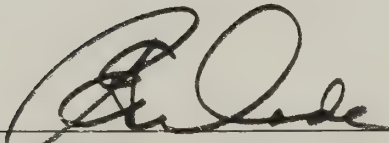
"Valery	North from 85.7m west of Bonaventure to 6.1m westerly	Anytime"
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and by deleting from Section "E" thereof the following item, namely:

"Primrose	South 18 feet 17 feet west of the east curb line of Avondale	Anytime"
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7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002.



Mayor



Acting City Clerk

Bill No. 247

**City of Hamilton
BY-LAW NO. 02-247
To Amend: By-law No. 01-215
TO REGULATE TRAFFIC**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

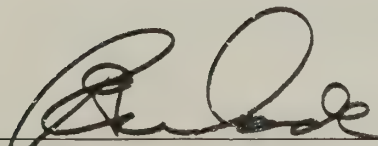
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following item, namely:

"Maple Eastbound and Westbound Rosslyn"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 11th day of September A.D. 2002


MAYOR


Acting CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 02-248

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LONG TERM CARE FACILITIES, EMERGENCY SHELTERS, RETIREMENT HOMES,

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The former City of Hamilton passed By-law No. 01-143 respecting to long term care facilities, residential care facilities, short term care facilities, hostels, emergency shelters, corrections residences and correctional facilities;

AND WHEREAS this By-law is in conformity with the Official Plan of the former City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 02-025 of the Hearings Sub Committee at its meeting held on the 7th day of August, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section (2)(A).(ixa) of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting the words "for persons in a crisis situation" and adding the words "a minimum of four persons in a crisis situation and a maximum number of persons in a crisis situation as permitted by the district, who require" so the entire clause reads as follows:

"Emergency shelter means a fully detached building or portion thereof used by a minimum of four persons in a crisis situation and a maximum number of persons in a crisis situation as permitted by the district, who require shelter, protection, assistance and counselling or support which is intended to be short term accommodation of a transient nature. An emergency shelter does not include a residential care facility; a lodging home; a corrections residence; a correctional facility; or any other facility which is licensed, approved or regulated under any general or special Act."

2. Section (2)A.(xiiaaa) of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting the words "seniors at least 60 years of age" and replacing them with the words "a minimum of four seniors at least 60 years of age and older and a maximum number of seniors at least 60 years of age and older as permitted by the district" between the words 'accommodation' and 'and' so the entire clause reads as follows:

"Retirement home means a fully detached building for the accommodation of a minimum of four seniors at least 60 years of age and older and a maximum number of seniors at least 60 years of age and older as permitted by the district, in single or double rooms that do not contain kitchens but have communal facilities such as kitchen/dining facilities, laundry facilities, lounges and where the residents are supervised in their daily living activities. A retirement home is licensed by the municipality and it is not considered as a long term care facility; an emergency shelter; a lodging home; a residential care facility; or, any other facility which is licensed, approved or regulated under any general or special Act."

3. Section 10B.(1)(vii) of Zoning By-law No. 6593 is hereby amended by deleting the words “before the first day of December” and replacing them with “after the first day of July”, so the entire clause reads as follows:

“A long term care facility, provided in the case of a building erected after the first day of July A.D. 1959 the lot has an area of at least 450.0 square metres (4,843.92 square feet).”

3. Section 10C.(1)(vii) of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting the words “before the first day of December” and replacing them with “after the first day of July”, so the entire clause reads as follows:

“A long term care facility, provided in the case of a building erected after the first day of July A.D. 1959 the lot has an area of at least 450.0 square metres (4,843.92 square feet).”

4. Section 11.(1)(va) of Zoning By-law No.6593 (Hamilton) is hereby amended by deleting the words “*before*” and replacing them with “*after*”, so the entire clause reads as follows:

“A long term care facility, provided in the case of a building erected after the first day of July A.D. 1959 the lot has an area of at least 450.0 square metres (4,843.92 square feet).”

5. Section 11B.(1)(vii) of Zoning By-law No.6593 (Hamilton) be amended by deleting the words “before the first day of December” and replacing them with “after the first day of July”, so the first paragraph of the clause reads as follows:

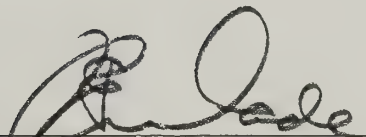
“A long term care facility, provided in the case of a building erected after the first day of July A.D. 1959 the lot has an area of at least 450.0 square metres (4,843.92 square feet).”

6. Section 24 of By-law No. 01-143 (Hamilton) is hereby amended by renumbering “17A.(1)(aa)” to “17A.(1)(a)”;

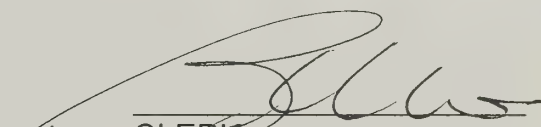
7. Section 25 of By-law No. 01-143 (Hamilton) is hereby amended by renumbering Subsections 17C.(3)(i)(2) and 17C.(3)(i)(3) to Subsections 17C.(2)(i)(2) and 17C.(2)(i)(3);

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED AND ENACTED this 11th day of September A.D. 2002



MAYOR



Acting CLERK

**CITY OF HAMILTON
BY-LAW NO. 02-249
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

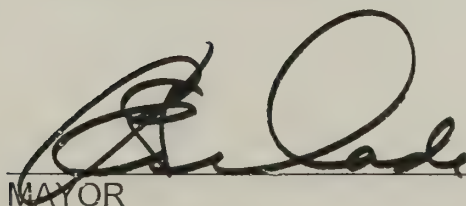
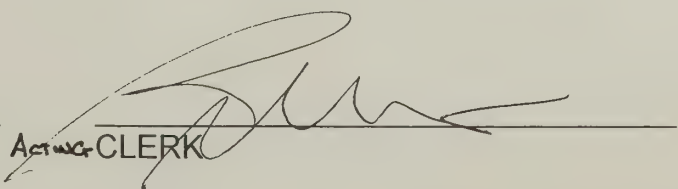
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

"William Johnson Street East & West Prideaux Street"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002


MAYOR
Acting CLERK

Bill No. 250

**CITY OF HAMILTON
BY-LAW NO. 02-250
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

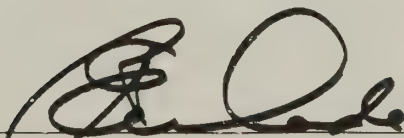
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

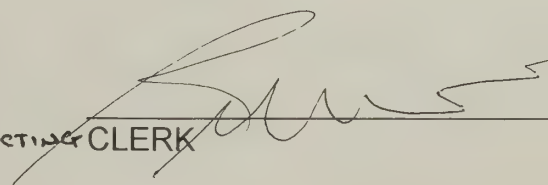
1. Schedule 13 (Designated Traffic Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "G" thereof the following item, namely:

"King Street West	Battlefield Drive to Second Street	Centre	Anytime	Easterly to Northerly and Westerly to Southerly"
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2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002


MAYOR


Acting CLERK

Bill No. 251

**THE CITY OF HAMILTON
BY-LAW NO. 02-251
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 175 ON PLAN 62M-926
INTO MOORLAND CRESCENT**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Moorland Crescent within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

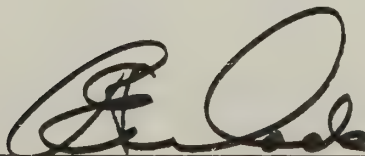
1. That the following land is hereby established and laid out as a public highway to form part of Moorland Crescent.

Block 175 on Plan 62M-926.

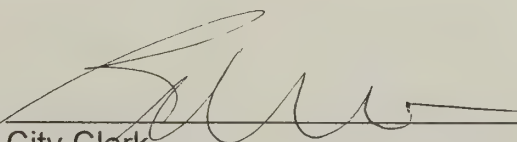
City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of September A.D., 2002



Mayor



Acting City Clerk

Bill No. 252

**THE CITY OF HAMILTON
BY-LAW NO. 02-252
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 14 ON PLAN 62M-960
INTO KRIEGHOFF DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Krieghoff Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

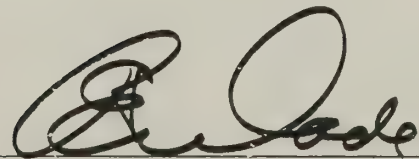
1. That the following land is hereby established and laid out as a public highway to form part of Krieghoff Drive.

Block 14 on Plan 62M-960.

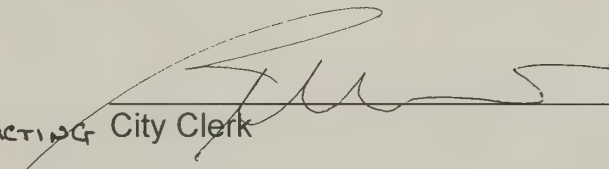
City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of September A.D., 2002



Mayor



Acting City Clerk

Bill No. 253

**CITY OF HAMILTON
BY-LAW NO. 02-253
To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "G" thereof the following items, namely:

"Hwy 56	West	Binbrook to 111m northerly	Anytime
Hwy 56	West	Binbrook to 85m southerly	Anytime
Hwy 56	East	Binbrook to 134m northerly	Anytime
Hwy 56	East	Binbrook to 112m southerly	Anytime"

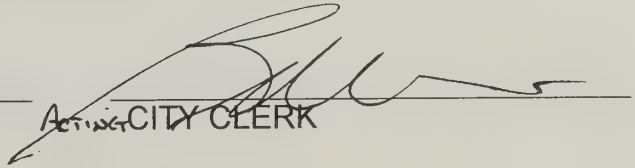
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002



MAYOR



Acting CITY CLERK

Bill No. 254

**CITY OF HAMILTON
BY-LAW NO. 254
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof the following item, namely:

"Miller Dr.	Garden Ave.	Anson Dr.	40"
	(west intersection)		

and by adding to Section "E" thereof the following items, namely:

"Dow Ave.	Main St. W.	southerly limit	40
Cline Ave. S.	Main St. W.	southerly limit	40
Bendamere Ave.	Columbia Dr.	57m east of Briarwood Cres. (east leg)	40
Columbia Dr.	Laurier Ave.	125m east of Marcus Ave.	40
Laurier Ave.	Columbia Dr.	South Bend Rd. (westerly end)	40

Cranbrooke Dr.	Glenvale Dr.	Gretna Crt.	40
Gemini Dr.	Cranbrooke Dr.	Gillard St.	40"
and by adding to Section "F" thereof the following items, namely:			
"Randall Ave.	Centennial Prkwy.	easterly limit	40
Highbury Dr.	Gatestone Dr.	150m east of Whitedeer Rd.	40
Whitedeer Rd.	Rymal Rd. E.	Highbury Dr.	40
Glenashton Dr.	Dewitt Rd.	west property line of Glenashton Dr.	40"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002


MAYOR


Acting CLERK

Bill No. 255

**CITY OF HAMILTON
BY-LAW NO. 02- 255
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "F" thereof the following item, namely:

"Second Road West	Highway 53	Highland Road West	60"
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and by adding to Subsection "4" of Section "G" thereof the following items, namely:

"Centre Road	Campbellville Road	300m south of Campbellville Road	60
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Centre Road	46m north of Concession 5 East	450m south of Concession 6 East	60
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Centre Road	50m north of Concession 10 East	300m south of Campbellville Road	80
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Kirkwall Road	520m south of Concession 8 West	450m north of Concession 8 West	60
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Kirkwall Road	Highway No. 8	520m south of Concession 8 West	80
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Kirkwall Road	450m north of Concession 8 West	Regional Road No. 97	80"
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and by deleting from Subsection "4" of Section "G" thereof the following items, namely:

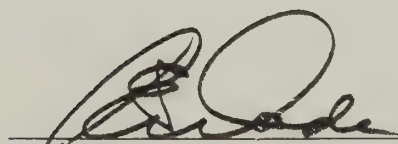
"Centre Road	46m north of Concession 5 East	450 m south of Concession 6 East	80
--------------	-----------------------------------	-------------------------------------	----

Centre Road	50 metres north of Concession 10 East	Campbellville Road	80
-------------	--	--------------------	----

Former Highway No. 52	Highway No. 8	Regional Road 97	80"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of September, 2002



MAYOR



Acting CLERK

THE CITY OF HAMILTON

BY-LAW NO. 02- 256

To Confirm the Proceedings of City Council at its meeting held on September 11, 2002

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 11th day of September, 2002 in respect of each recommendation contained in:

Report 02-030 of the Committee of the Whole,
Report 02-028 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 11th day of September, 2002


MAYOR


Acting CITY CLERK

Bill No. 257

**CITY OF HAMILTON
BY-LAW NO. 02-257
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

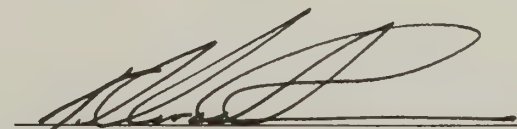
1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"London Northbound and Southbound Central"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 25th day of September, 2002



MAYOR



CLERK

Authority: Motion
CM: September 25, 2002

Bill No. 258

CITY OF HAMILTON

BY-LAW NO. 02-258

To Amend:

Zoning By-law No. 90-145-Z (Flamborough),
As amended by By-law No. 02-223

Respecting:

LANDS LOCATED AT 214 AND 216 DUNDAS STREET
(former Town of Flamborough)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

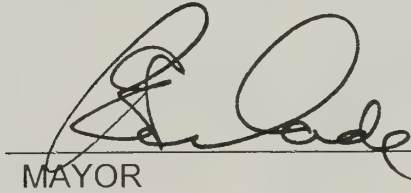
AND WHEREAS it is necessary to repeal By-law No. 02-223 so as to adopt this amending by-law which will introduce a minimum front yard setback of 5.0 metres as opposed to a minimum front yard setback of 6.0 metres as required under By-law No. 02-223.

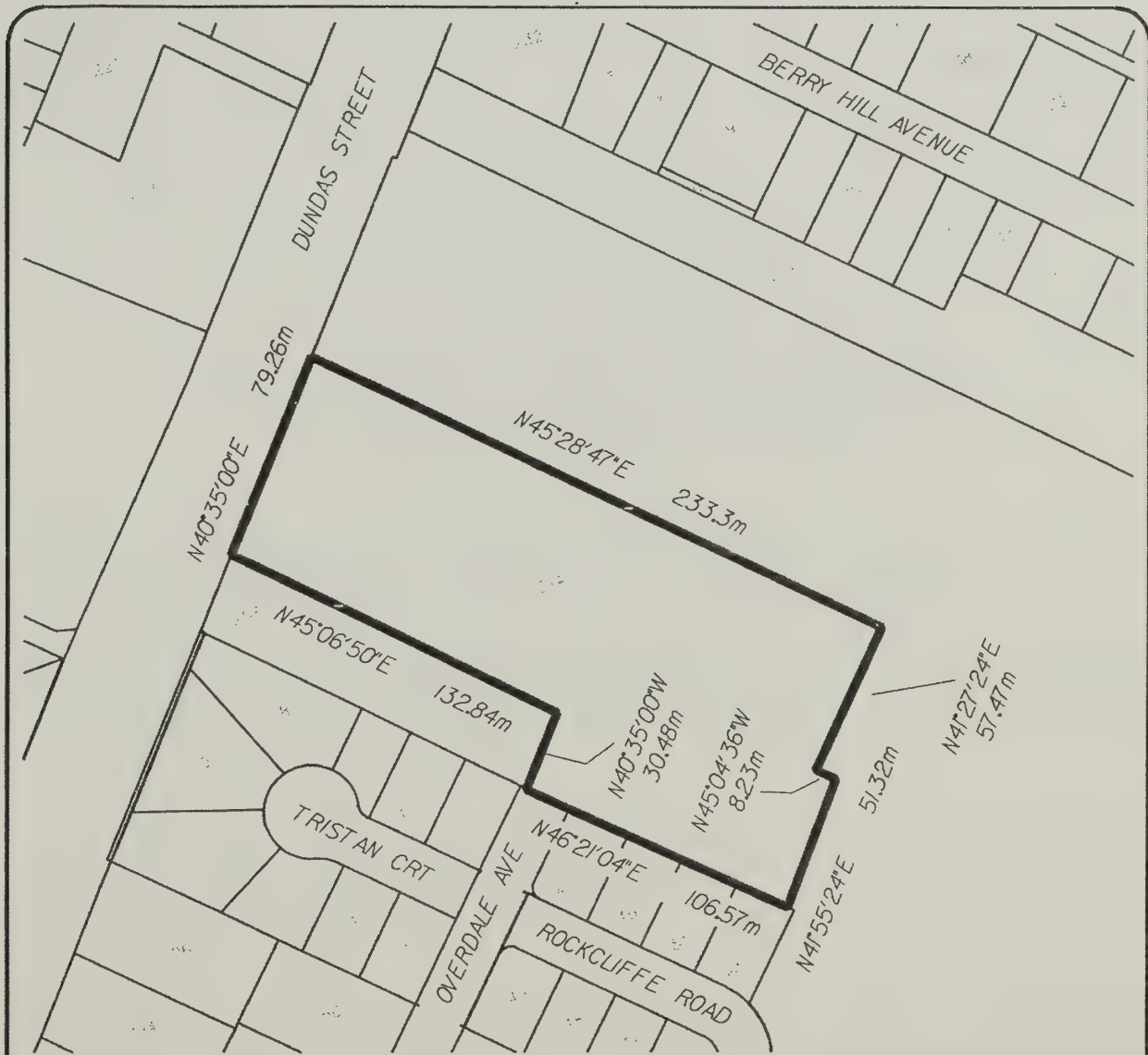
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A-30" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing the zoning of the lands that are located at 214 and 216 Dundas Street, (Waterdown) from Urban Commercial (Holding) "UC-8" (H) Zone to Urban Commercial "UC-8" Zone by removing the suffix "H" those lands located within Part of Lot 9, Concession 3, (Former Town of Flamborough) more particularly shown on Schedule "A" which forms part of this By-law.
2. Section 17: Urban Commercial "UC" Zone of Zoning By-law No. 90-145-Z (Flamborough), is hereby further amended by deleting Section 17.3.8(b), and replacing it with the following :
 - b) Any use permitted in a Urban Residential "R4" Zone, subject to the provisions of Section 9.2 and not in conjunction with any other permitted use and notwithstanding the following special zone provisions for Semi-detached Dwellings:
 1. Minimum Front Yard Setback 5.0m
 2. Maximum Deck Coverage 5.2%
 3. Maximum Lot coverage for Principle Dwellings 49%
 4. That each lot within Block 4 on the draft plan comprise of a lot frontage of 6.1 metres, and a lot area of 188 square metres.
3. All other regulations of Section 17 Urban Commercial "UC" Zone and Section 5, General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
4. When approved, this by-law will come into effect in accordance with Section 34 of the Planning Act, R.S.O., 1990, as amended.
5. This by-law hereby repeals By-law No. 02-223.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

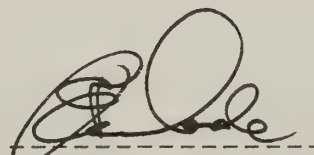
PASSED and ENACTED this 25th day of September, 2002 .


MAYOR
CLERK



This is Schedule "A" to By-Law No. 02 - 258
 Passed the 25th day of September 2002.


 Clerk


 Mayor

City of Hamilton

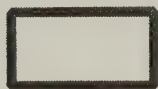
Schedule "A"

Map Forming Part of
 By-Law No. 02-258

to Amend By-Law No. 6593

Planning and Development Department

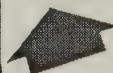
Legend



Subject Lands

Change in zoning from "UC-8(H)"
 (Urban Commercial Holding) District
 to "UC-8" (Urban Commercial
 Modified) District

North



Scale
 NOT TO SCALE

Date
 April 8, 2002

Reference File No.
 ZAC-02-01

Drawn By
 MC

Bill No. 259

CITY OF HAMILTON

BY-LAW NO. 02-259

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 215 Hess Street North
Owned by Joao and Silvia Salvador**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 4 of Report 02-026 of the Hearings Sub Committee at its meeting held on the 14 day of August, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-3 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "JJ" (Restricted Light Industrial) district to "R-4" (Small Lot Single family Dwelling) District,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. The "R-4" Small Lot Single family Dwelling) District regulations as contained in Section 9A. of Zoning by-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (a) notwithstanding Section 9A.(2)(b)(1.)(i) of Zoning By-law 6593, a minimum front yard setback of not less than 3.0 metres and not more than 4.0 metres to the main wall of the dwelling, and a front yard depth of not less than 6.0 metres and not more than 7.0 metres to the garage or carport, shall be provided and maintained;
- (b) notwithstanding Section 9A.(2)(c)(1.) and 9A.(2)(c)(2.), every lot or tract of land within the "R-4" District for a single family dwelling shall have an average lot width of not less than 8.5 metres and an average area of not less than 450 square metres; and,
- (c) that a visual barrier between 1.8m and 2.0m in height shall be provided and maintained along the entire northerly and southerly lot lines adjacent to an industrial district.

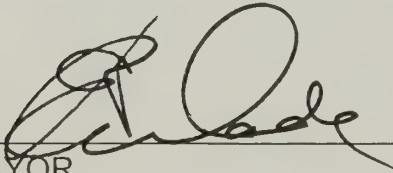
- 3. That the amending By-law apply the holding provisions of Section 36 (1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed Zoning District. The Holding provision will prohibit the development of the subject lands, until such time, as the following has been completed:

- (a) that the owner has submitted a signed Record of Site Condition (RSC) to the Ministry of Environment. This RSC must be to the satisfaction of the Director of Development, Planning and Development Department, including acknowledgement of receipt of the RSC from the Ministry of Environment; and,
- (b) that the owner has submitted studies demonstrating that the development will not be adversely affected by noise/vibration, dust and odour, and any other contamination, by including a justifying impact assessment to the satisfaction of the Director of Development, Planning and Development Department, and in consultation with Canadian National Railway Properties Incorporated (in accordance with Ministry of the Environment D-6 Guideline).

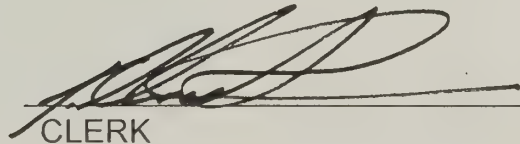
City Council may remove the 'H' symbol and, thereby, give effect to the "R-4" District, modified provisions, by enactment of an amending By-law once the conditions are fulfilled.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in Section 2.
5. By-law No. 6593 is amended by adding this by-law to Section 19B. as Schedule S-1473.
6. Sheet No. W-3 of the District Maps is amended by marking the subject lands, S-1473.
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act

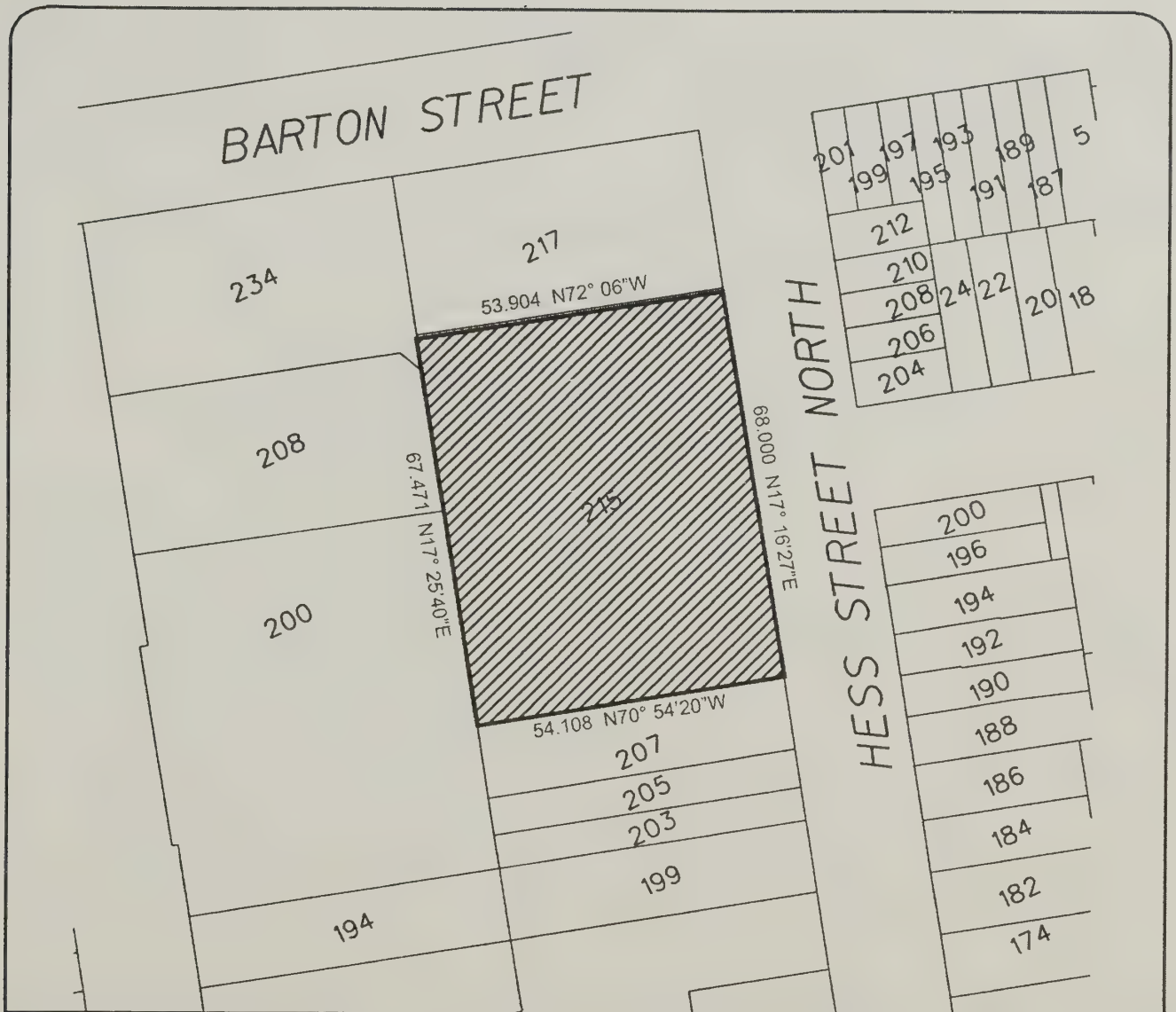
PASSED and ENACTED this 25th day of September , 2002



MAYOR

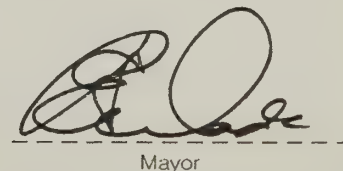


CLERK



This is Schedule "A" to By-Law No. 02 - 257
 Passed the 25th day of September, 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02- 259

to Amend By-Law No. 6593

Planning and Development Department

Legend



Subject Property

Change in Zoning From "JJ"
 (Restricted Light Industrial) District
 To "R-4" - 'H' (Small Lot Single Family
 Dwelling Holding) District

North



Scale

NOT TO SCALE

Date

September 9, 2002

Reference File No.

ZAC-01-54

Drawn By

CL

CITY OF HAMILTON

BY-LAW NO. 02-260

**To Amend Zoning By-law No. 464 (Glanbrook)
As Amended by By-law No. 464-71-00 and By-law No. 01-154
Respecting Lands Located on Twenty Road (Garth Trails)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was amended by By-law No. 464-71-00 on the 6th day of December 2000 to rezone land located on the north side of Twenty Road from the Deferred Development "DD" Zone to a Residential Holding "H-R3-162" Zone, Residential Multiple Holding "H-RM3-162" Zone, Neighbourhood Commercial Holding "H-C1-162" Zone, Public Open Space "OS2-162" Zone and Private Open Space "OS1-162" Zone, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 464-71-00 and forming part thereof, which By-law came into force on the day it was passed, in accordance with the Planning Act;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was further amended by By-law No. 01-154 on the 10th day of July 2001 to rezone land located on the north side of Twenty Road from the Residential Holding "H-R3-162" Zone to the Residential Holding "H-R3-168", "H-R4-169" and "H-R4-170" Zones, and from the Neighbourhood Commercial Holding "H-C1-162" Zone to the Neighbourhood Commercial Holding "H-C1-171" Zone, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 01-154 and forming part thereof, which By-law came into force and effect on the day it was passed, in accordance with the Planning Act;

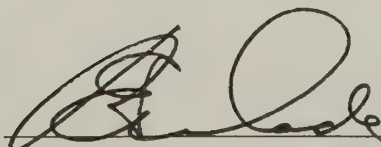
AND WHEREAS the owner has satisfied all of the conditions to remove the Holding (H) symbol;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the Township of Glanbrook Official Plan), approved by the Minister under the Planning Act on June 16, 1987.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "H" (Holding) symbol affixed by By-law No. 464-71-00, passed on the 6th day of December 2000, to the Residential Holding "H-R3-162" Zone of the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 464-71-00 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the Residential "R3-162" Zone provisions of Zoning By-law No. 464.
2. The "H" (Holding) symbol affixed by By-law No. 01-154, passed on the 10th day of July 2001, to the Residential Holding "H-R3-168", "H-R4-169" and "H-R4-170" Zones of the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 01-154 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the Residential "R3-168", "R4-169" and "R4-170" Zone provisions of Zoning By-law No. 464.
3. Zoning Schedule "E" of Zoning By-law No. 464, as amended by Section 1 of By-law No. 464-71-00 and By-law No. 01-154, is further amended by changing from the Residential Holding "H-R3-162", "H-R3-168", "H-R4-169" and "H-R4-170" Zones to the Residential "R3-162", "R3-168", "R4-169" and "R4-170" Zones, the land, the extent and boundaries of which are shown as Blocks 1, 2, 3 and 4 on a plan hereto annexed as Schedule "A" and forming part of this By-law.
4. In all other respects, By-law No. 464-71-00 and By-law No. 01-154 are hereby confirmed, unchanged.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of September, 2002.

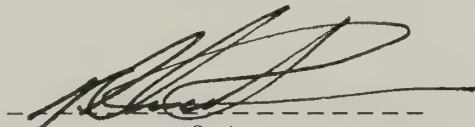

MAYOR

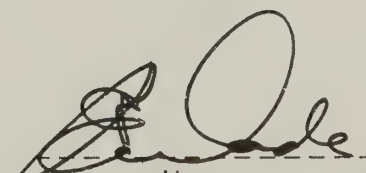

CLERK

ONTARIO HYDRO EASEMENT



This is Schedule "A" to By-Law No. 02 - 260
 Passed the 25th day of September, 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02- 260

to Amend By-Law No. 464

Planning and Development Department

Legend



BLOCK 1 - From H-R3-168 to R3-168



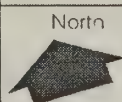
BLOCK 2 - From H-R4-169 to R4-169



BLOCK 3 - From H-R4-170 to R4-170



BLOCK 4 - From H-R3-162 to R3-162



Scale
 NOT TO SCALE

Date
 July 9, 2002

Reference File No.
 ZAR-02-55

Drawn By
 MC

City of Hamilton

BY-LAW NO. 02-261

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 166 GREEN MOUNTAIN ROAD EAST
(former City of Stoney Creek)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

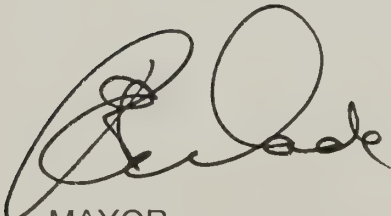
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "A", Map No. 17 of Zoning By-law 3692-92 (Stoney Creek), as amended, is hereby further amended as follows:
 - (a) by changing the zoning from Agricultural "A" Zone to the Intensive Recreation "IR-3" Zone for the land municipally known as 166 Green Mountain Road East; and

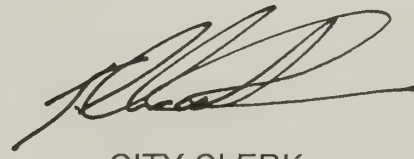
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. Subsection 11.3.5, "Special Exemptions" of Section 11.3, Intensive Recreation "IR" Zone of Zoning By-law No. 3692-92, is hereby amended by adding 166 Green Mountain Road East to the exemption, "IR-3" to include the following:
"Notwithstanding the uses permitted in Section 11.3.2 of the Intensive Recreation "IR" Zone, those lands zoned "IR-3" by this By-law shall only be used for a private club and any recreational or cultural uses associated with the private club."
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 25th day of September A. D. 2002



MAYOR



CITY CLERK



This is Schedule "A" to By-Law No. 02 - 261.....
 Passed the 25th..... day of September 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02- 261
 to Amend By-Law No. 3692-92

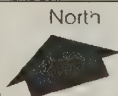
Planning and Development Department

Legend



Subject Property

166 Green Mountain Road East (Stoney Creek)
 Change in Zoning from "A" (Agricultural) Zone to
 "IR-3" (Intensive Recreation Exception) Zone



North

Scale
 NOT TO SCALE

Date
 August 23, 2002

Reference File No.
 ZAC-02-43

Drawn By
 CL

Bill No. 262

City of Hamilton

BY-LAW No. 02-262

Respecting:

Lots 1 to 24 and Lots 26 to 31 – Plan 62M-957
“Wellington Estates – Phase 4”

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

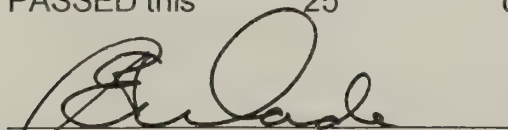
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights of encroachment, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Lots 1 to 24 and Lots 26 to 31, Plan 62M-957, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: September 25, 2004.

PASSED this 25th day of September 2002.


MAYOR


CITY CLERK

Bill No. 263

CITY OF HAMILTON

BY-LAW NO. 02-263

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 357 Hunter Street West
Owned by Valvasori Properties**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 9 of Report 02-029 of the Hearings Sub Committee at its meeting held on the 18th day of September, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

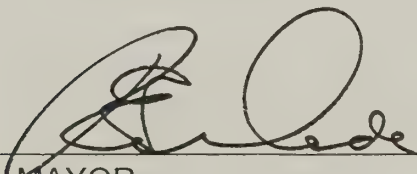
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 02-204 (Hamilton), passed on the 10th of July, 2002, to the "DE"-H' (Low Density Multiple Dwellings - Holding) District, modified, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 02-204 (Hamilton) and

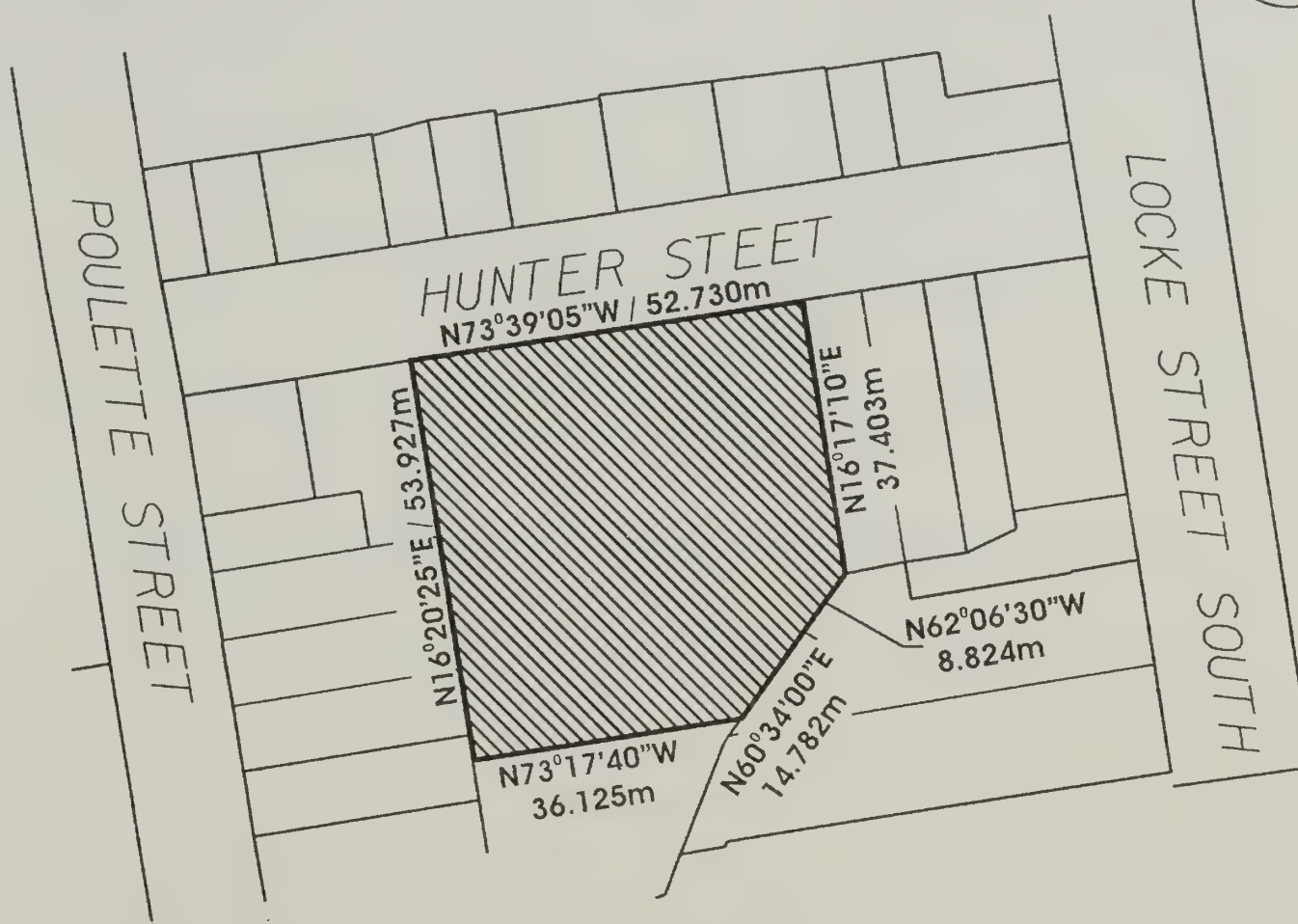
forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "DE" (Low Density Multiple Dwellings) District, modified, provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 02-204 (Hamilton).

2. Sheet No. W-13 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 02-204, is further amended, by changing from "DE"-H' (Low Density Multiple Dwellings - Holding) District, modified, to "DE" (Low Density Multiple Dwellings) District, modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" (Low Density Multiple Dwellings) District provisions, subject to the special requirements referred to in section 2 of By-law No. 02-204
4. By-law No. 6593 is amended by adding this by-law to Section 19B. as Schedule S-1467a.
5. Sheet No. W-13 of the District Maps is amended by marking the subject lands, S-1467a.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of September, 2002.

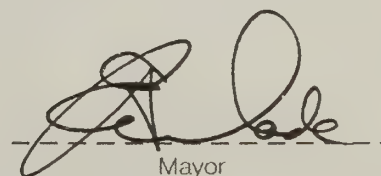

MAYOR


CLERK



This is Schedule "A" to By-Law No. 02 - 263
Passed the 25th day of September, 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02- 263

to Amend By-Law No. 6593

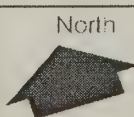
Planning and Development Department

Legend



Subject Property

Change in zoning from "DE-H" (Low Density Multiple Dwelling - Holding) District, Modified to "DE" (Low Density Multiple Dwelling) District, Modified for lands located at 357 Hunter Street West



Scale
NOT TO SCALE

Date
August 21, 2002

Reference File No.
ZAC-02-12

Drawn By
NM

Authority: Item 2, Hearings Sub-Committee
Report 02-024 (PD02126)
CM: September 25, 2002

Bill No. 264

CITY OF HAMILTON

BY-LAW NO. 02-264

To Adopt:

Official Plan Amendment No. 87 to the former town of Flamborough Official Plan;

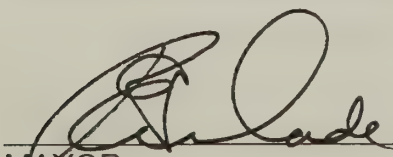
Respecting:

988 Brock Road

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 87 to the former Official Plan of the Town of Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 25th day of September, 2002


MAYOR


CLERK

SCHEDULE “1”

Amendment No. 87

to the

Official Plan for the former Town of Flamborough

The following text together with Schedule “B” – Rural Land Use Concept, attached hereto, constitute Official Plan Amendment No. 87

Purpose:

The purpose of this Amendment is to re-designate a portion of the property at No. 988 Brock Road to a site specific Rural designation to permit a sawmill operation with associated offices and outdoor storage.

Location:

The lands affected by this Amendment are located at No. 988 Brock Road.

Basis:

This Amendment is intended to re-designate the subject lands to a site specific Rural which will only permit a sawmill operation with associated offices for the sawmill operation and outside storage.

Actual Changes:

- 1) Schedule “B” be revised by re-designating the subject property as Site Specific Area #49 as shown on Schedule “B” to this Amendment.
- 2) Amend section B.3.10 RURAL – SITE SPECIFIC AREAS to create a new policy B.3.10.6 as follows:

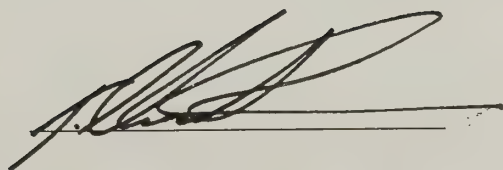
“The lands shown on Schedule “B” as Rural – Site Specific Area #49, which consist of 1.2 hectares (2.9 acres) may also be used as a sawmill with associated offices and outside storage.”

Implementation:

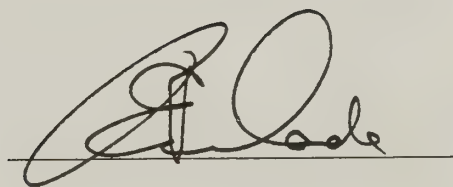
A Zoning By-Law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 02-264, passed on the 25th day of September, 2002.

The
City of Hamilton

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a horizontal line.

City Clerk

A handwritten signature in black ink, featuring a large, stylized 'H' and 'M' followed by a long horizontal stroke, positioned above a horizontal line.

Mayor

Authority: Item 2, Hearings Sub-Committee
Report 02-024 Report PD02126
CM: September 25, 2002

Bill No. 265

CITY OF HAMILTON

BY-LAW NO. 02-265

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting 988 Brock Road,
Owned by Gord and Shelley Detzler**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule No. "A-9" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), is hereby amended by changing the zoning from Agriculture "A" to Site Specific Agriculture "A-72", those lands being Part of Lot 7, Concession 5, former geographic township of West Flamborough and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.

2. Section 33.3 – Agriculture 'A' Zone is hereby amended by adding the following subsection:

33.3 EXCEPTION NUMBERS

33.3.72 'A-72' (See Schedule A-9)

Permitted Uses

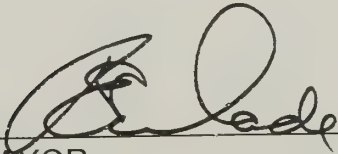
- (a) Sawmill Operation
- (b) Accessory Office
- (c) Accessory Open Storage
- (d) Accessory Retail Sale of Goods produced on the premises
- (e) Agriculture

Zone Provisions

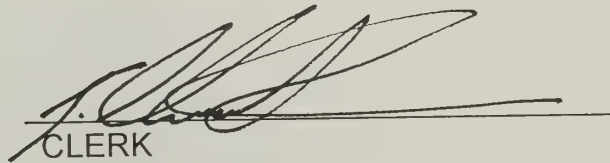
- (a) Maximum Lot Area 1.21 hectares
- (b) Maximum Gross Floor Area 1,487 square metres for
the sawmill operation
- (c) Maximum Lot Coverage 20%
- (d) Maximum Building Height 11 metres
- (e) Open Storage shall be setback a
minimum of 25 metres
from the front lot line
- (f) Parking Spaces minimum 15 parking
spaces
- (g) All other Zone Provisions of Subsection 31.2: Rural Industrial
'M3' Zone shall apply.
- (h) General Provisions – in accordance with the provisions of
Section 5 hereof, notwithstanding the provisions of
Subsection 5.21.1.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of September, 2002.



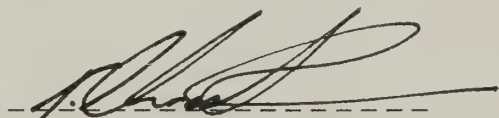
MAYOR



CLERK



This is Schedule "A" to By-Law No. 02 - 265
 Passed the 25th day of September, 2002.


 Clerk


 Mayor

City of Hamilton

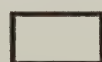
Schedule "A"

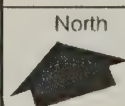
Map Forming Part of
 By-Law No. 02- 265

to Amend By-Law No. 90-145-Z

Planning and Development Department

Legend

-  **Subject Property**
988 Brock Road
-  **Area of Change in Zoning**
from an Agricultural "A" to
Site Specific Agriculture "A-72" Zone



North

Scale
 NOT TO SCALE

Date
 September 13, 2002

Reference File No.
 ZAC-01-27

Drawn By
 CL

Authority: Item 16, Hearings Sub-Committee
Report: 02-026 (PD02117)
CM: September 25, 2002

Bill No. 266

CITY OF HAMILTON

BY-LAW NO. 02-266
To Adopt:

Official Plan Amendment No. 180 to the former City of Hamilton Official Plan;

Respecting:

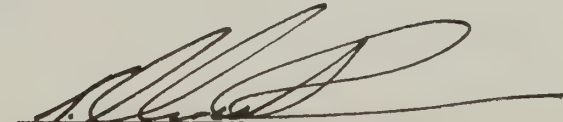
302 Cumberland Avenue

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 180 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 25day of September 2002


MAYOR


CLERK

Amendment No. 180

to the

Official Plan of the Former City of Hamilton

The following Schedule "A", Land Use Concept, and Schedule "B", Special Policy Areas attached hereto, constitutes Official Plan Amendment No. 180.

Purpose:

The purpose of the Amendment is to redesignate the subject land from "Industrial" to "Residential" on Schedule "A", Land Use Concept, and to remove the lands from Special Policy Area 11 on Schedule "B", Special Policy Areas, of the Official Plan to permit an 8 unit apartment building.

Location:

The land affected by this Amendment is the property known municipally as 302 Cumberland Avenue on the south side of Cumberland Avenue adjacent to the CN right-of-way in the Blakeley Neighbourhood.

Basis:

The intent of the Amendment is to redesignate the subject land to permit an 8 unit apartment. The basis for permitting the proposal is as follows:

- The proposed use is compatible with the established residential character in the area; and
- It provides for redevelopment and intensification of a former industrial site.

Actual Change:

Schedule "A", Land Use Concept, of the Official Plan be revised by redesignating the subject land from "Industrial" to "Residential", as shown on the attached Schedule "A" of this Amendment.

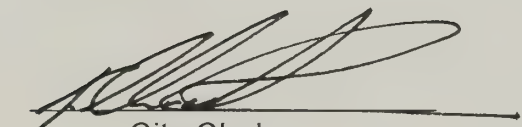
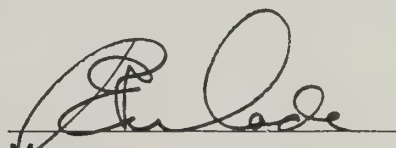
Schedule "B", Special Policy Areas, of the Official Plan be revised by removing the subject land from "Special Policy Area 11", as shown on the attached Schedule "B" of this Amendment.

Implementation:

A Zoning By-Law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No.02-266 passed on the 25 day of September, 2002.

City of Hamilton


City Clerk
Mayor

Bill No. 267

CITY OF HAMILTON

BY-LAW NO. 02-267

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 302 Cumberland Avenue**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 16 of Report 02-026 of the Hearing Sub Committee at its meeting held on the 14th day of August, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 180 proposed by the Corporation of the City of Hamilton as By-law No. 02-266, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-34 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

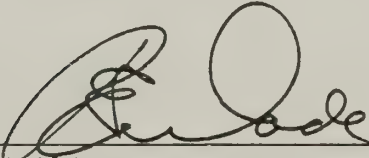
- (a) by changing from "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified to "DE" – 'H' (Low Density Multiple Dwellings - Holding) District the lands comprised in Block "1"; and,
- (b) by changing from "JJ" (Restricted Light Industrial) District to "DE" – 'H' (Low Density Multiple Dwellings – Holding) District the lands comprised in Block "2",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
 - 1) the owner or applicant applying for and receiving final approval of a Site Plan Control Application, incorporating the recommendations of an Environmental Noise and Vibration Impact Study, prepared by a qualified consulting engineer, to the satisfaction of the Director of Development, Planning and Development Department; and,
 - 2) the owner or applicant submitting a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE.
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "DE" District provisions.
- 3. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to Block "1" and Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:
 - (a) notwithstanding any of the provisions of Section 10A of Zoning By-law No. 6593, only the following use shall be permitted:
 - (1) a multiple dwelling containing a maximum of eight (8) Class A dwelling units within the building existing at the time of the passing of the By-law;
 - (b) notwithstanding Section 10A.(5) of Zoning By-law No. 6593, a minimum landscaped area of 232m² shall be provided and maintained;
 - (c) notwithstanding Section 18A.(1)(c) of Zoning By-law No. 6593, a loading space shall not be required for a multiple dwelling within the building existing at the time of the passing of the By-law;

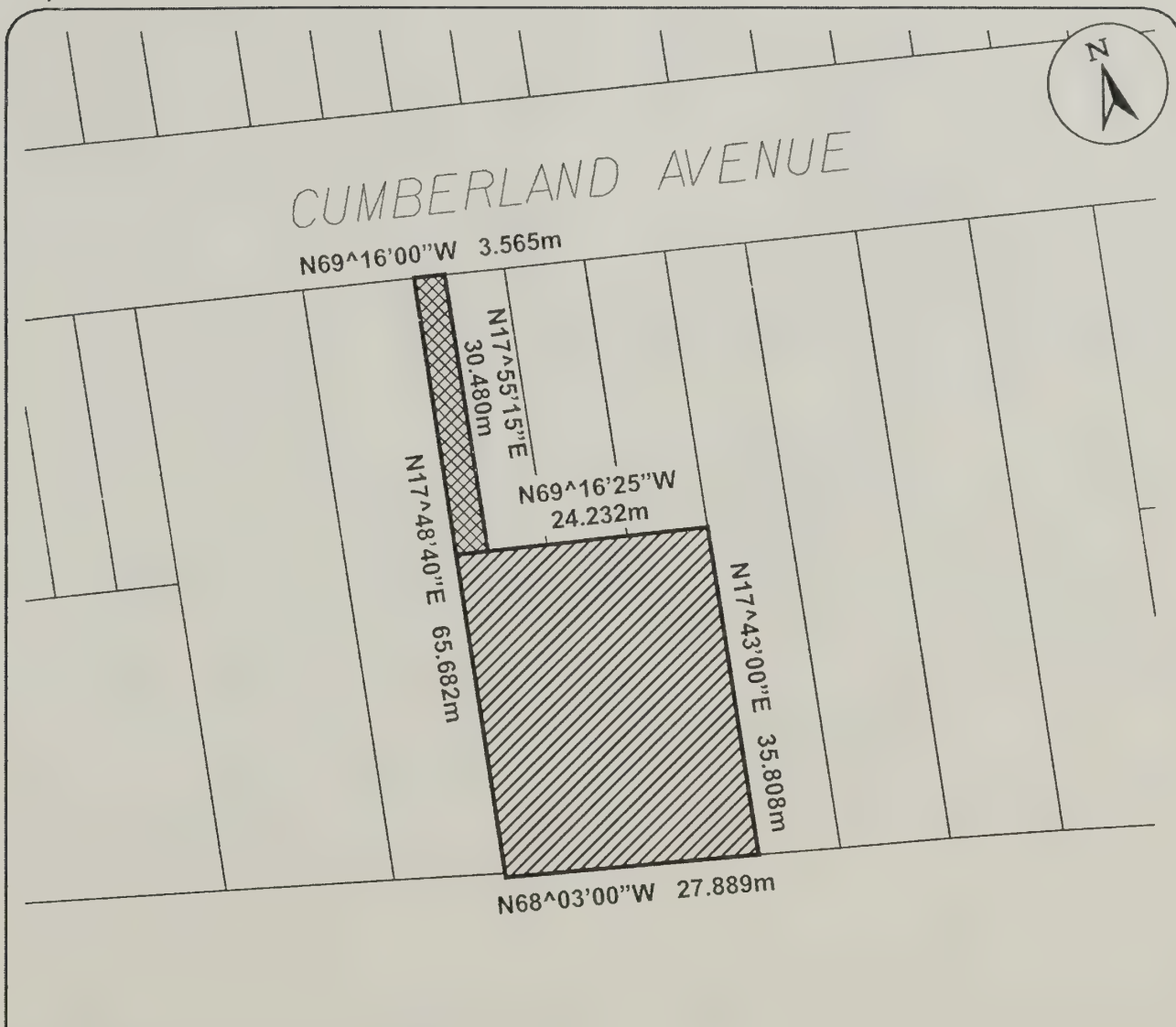
- (d) notwithstanding Section 18A.(11)(a) of Zoning By-law No. 6593, the boundary of every parking area containing five (5) or more parking spaces, located on the surface of a lot adjoining a residential district, shall be fixed not less than 1.0 metre along the westerly limits of Block "1" and Block "2" from the adjoining residential district boundary;
 - (e) notwithstanding Section 18A.(24)(b)(i) of Zoning By-law No. 6593, the access driveway shall have a width of at least 3.55 metres; and,
 - (f) that Section 18A.(25) of Zoning By-law No. 6593 shall not apply.
- 4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 3.
 - 5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1472.
 - 6. Sheet No. E-34 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1472.
 - 7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of September, 2002.



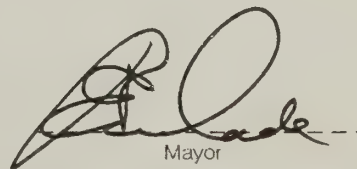
MAYOR

CLERK



This is Schedule "A" to By-Law No. 02 - 267
 Passed the 25th day of September, 2002


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-267

to Amend By-Law No. 6593

Planning and Development Department

Legend

Block 1



Subject Property

302 Cumberland Avenue
 Change in Zoning From "D" (Urban
 Protected Residential - One and Two Family
 Dwellings, etc.) District, Modified to "DE" - "H"
 (Low Density Multiple Dwellings - Holding)
 District, Modified

Block 2



Change in Zoning From "JJ" (Restricted
 Light Industrial) District to "DE" - "H" (Low
 Density Multiple Dwellings - Holding)
 District, Modified

North



Scale

NOT TO SCALE

Reference File No.

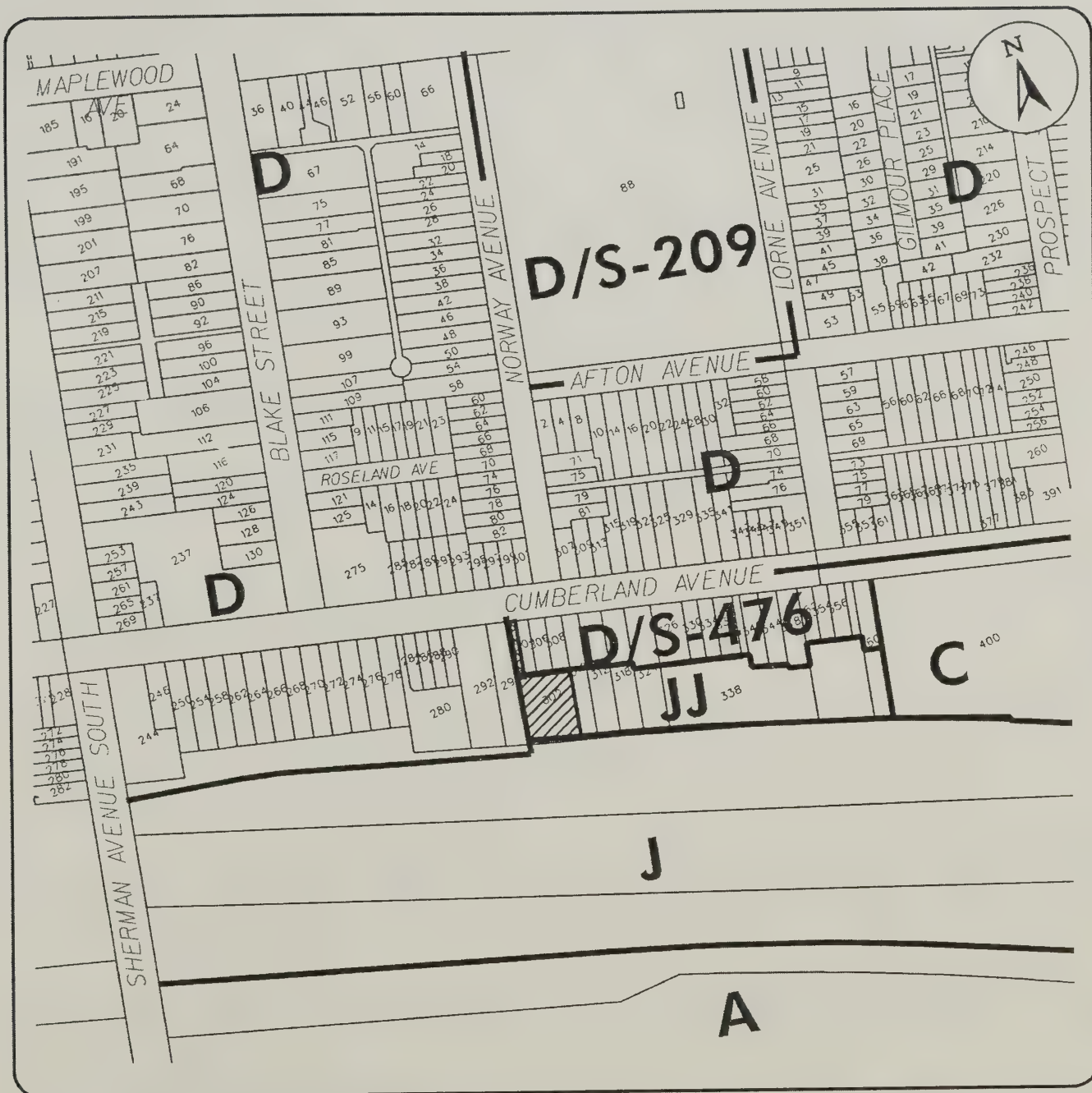
ZAC-02-20

Date

Sept. 3, 2002

Drawn By

MC



City of Hamilton

Key Map to By-Law No. 02-267

Planning and Development Department

Block 1 Subject Property



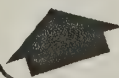
302 Cumberland Avenue
Change in Zoning From "D" (Urban
Protected Residential - One and Two Family
Dwellings, etc.) District, Modified to "DE"-H"
(Low Density Multiple Dwellings - Holding)
District, Modified

Block 2



Change in Zoning From "JJ" (Restricted
Light Industrial) District to "DE" - "H" (Low
Density Multiple Dwellings - Holding)
District, Modified

North



Scale
NOT TO SCALE

Date
Sept. 4, 2002

Reference File No.

ZAC-02-20

Drawn By
MC

Authority: Item 6, Hearings Sub-Committee
Report 02-026 (PD02151)
CM: September 25, 2002

Bill No. 268

CITY OF HAMILTON

BY-LAW NO. 02-268

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended
Respecting Block 97, Fields of Fiddlers Green,
Registered Plan 62M-800(Ancaster)
Owned by Malatesta Brothers Construction Company Limited**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map B1.4 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended;
 - (a) by changing from Site-Specific Institutional "H-I-388" Zone to Site-Specific Residential "R4-480" Zone, for lands comprised in Block "1";

- (b) by changing from Site-Specific Institutional "H-I-388" Zone to Residential "R4" Zone, for lands comprised in Block "2";
- (c) by changing from Site-Specific Institutional "H-I-388" Zone to Site-Specific Public Open Space "O2-389" Zone, for lands comprised in Block "3";

the extent and boundaries of which more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

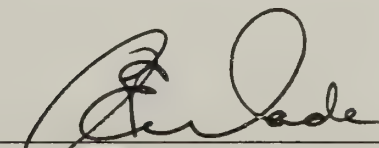
2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

R4-480 That the "R4" (Residential) Zone regulations, as contained in Section 12.2 of Zoning By-law No. 87-57 (Ancaster) applicable to the subject lands be amended to the extent of the following special requirement:

1.0 notwithstanding Section 12.2 (f), the Minimum Rear Yard shall be 9.5 metres.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of September, 2002.


MAYOR


CLERK

ZAC-02-34

Bill No. 269

City of Hamilton

BY-LAW No. 02-269

Respecting:

REMOVAL OF PART LOT CONTROL

**WITHIN A PORTION OF
"GLANCASTER MEADOWS" – LOT 62, PLAN 62M-932**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Township of Glanbrook;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

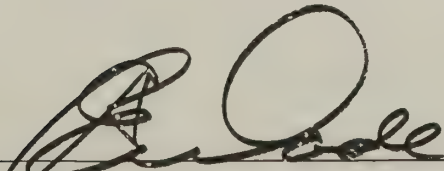
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of one (1) semi-detached dwelling with two (2) individual units, shall not apply to the following designated land:

Lot 62, Registered Plan Number 62M-932, in the City of Hamilton (Glanbrook).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on September 25th, 2004.

PASSED and ENACTED this 25th day of September A.D. 2002.


MAYOR


CLERK

City of Hamilton

BY-LAW NO. 02-270

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 1049 KIRKWALL ROAD (WESTFIELD
HERITAGE VILLAGE), FORMER TOWN OF FLAMBOROUGH, CITY OF
HAMILTON**

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 1049 Kirkwall Road, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

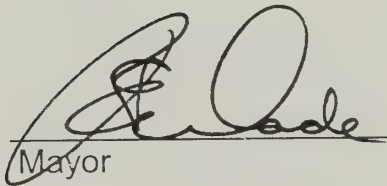
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

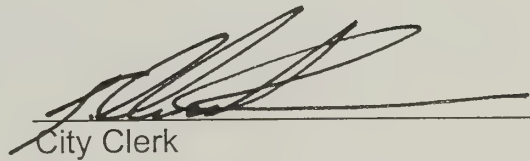
- i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;

- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 25th day of September, 2002.



Mayor



City Clerk

Schedule "A"
To
By-law No. 02-270

1049 Kirkwall Road (Westfield Heritage Village)
Former Town of Flamborough, City of Hamilton

Part of Lots 16, 17 and 18, Concession 5, Beverly, as in BV17958, BV20945, AB50886 and AB110522, except CM729, CM743 and parts 5, 14 and 15 on 62R-6812.

Formerly Flamborough, now City of Hamilton

PIN 17541-0020 (LT)

Schedule "B"
To By-law No. 02-270

Westfield Heritage Village
Westfield Heritage Conservation Area
1049 Kirkwall Road (Regional Road 552)
Former Town of Flamborough

REASONS FOR DESIGNATION

The property known as Westfield Heritage Village located within the Westfield Heritage Conservation Area comprises a collection of approximately thirty-five (35) structures relocated from various sites in the Counties of Brant, Wellington and Halton and the municipalities that comprised the former Regional Municipality of Hamilton Wentworth.

Eight (8) structures that were previously located in the former Regional Municipality of Hamilton-Wentworth are considered to be of historic and architectural value or interest as examples of rural, vernacular, building construction primarily associated with early Euro-Canadian settlers. These associations include their rural craft traditions, use of building materials, construction techniques and settlement activities. These activities include farming, house building, rural commerce and industry, religious worship and transportation.

The eight buildings, including all facades, entranceways, porches, windows, chimneys and roofs, together with construction materials and building techniques subject to this designation are:

- 1. The Queen's Rangers (Settler's) Cabin:** a *circa* 1793, single storey and a half, side gable, squared White Oak log structure;
- 2. The Bamberger House:** a *circa* 1820, two storey, side gable, Pine log house;
- 3. The Blacksmith House:** a *circa* 1828, single storey and a half, side gable, round log structure;
- 4. The Misner House:** an 1832, single storey and a half, side gable, timber frame house clad in clapboard;
- 5. The Marr Cabinet Maker's Shop:** a *circa* 1840, single storey and a half, front gable, timber frame barn and carpentry workshop clad in board-and-batten;
- 6. The McRobert's Dry Goods Store:** an 1850, storey and a half, red-brick, commercial building with boom-town front with pitch roof;
- 7. The Mountsberg Episcopal Methodist Church:** an 1854, single storey, timber frame church clad in clapboard; and
- 8. The Jerseyville Railway Station:** an 1896, single storey, timber frame, board-and-batten clad structure.

CITY OF HAMILTON

BY-LAW NO. 02-271

To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by adding to Subsection 2(a) of Section "E" thereof (2 hours at \$.50 per hour) the following item, namely:

"Upper Wentworth West Concession to 44.8m northerly"

and by adding to Subsection 5(b) of Section "E" thereof (Fifteen minutes at \$1.00 per hour) the following item, namely:

"Bay East from 77m south of York to 24.5m southerly"

and by deleting from Subsection 4(a) of Section "E" thereof (1/2 hour at \$.50 per hour) the following item, namely:

"Bay East 77m south of York to 24.5m southerly"

2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "B" thereof the following item, namely:

"Colmar Crt. Turn around area in the bulb at the Nov. 15 to Apr. 1"
west end of court

and by adding to Section "E" thereof the following items, namely:

"Hester	South	from 106.6m east of Deschene to 22.6m easterly	2 hr	Anytime	Anyday
Robert	Both	West to Wellington	1 hr	Anytime	Anyday"

3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

"Colmar Pl.	Both	Throughout turn around area in the bulb at the west end of the street	November 15 th to April 1 st
Colmar Pl.	North	Don St. to westerly end of Colmar Pl.	Anytime
Colmar Pl.	South	from 76.9m west of Don St. to 11.2m westerly	Anytime"

and by deleting from Section "B" thereof the following item, namely:

"Comar Pl.	North	Don St. to 128m westerly	Anytime"
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4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

"Colmar Pl.	South	from 65.5m west of Don St. to 6m westerly	Anytime"
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and by adding to Section "E" thereof the following items, namely:

"East 22 nd	East	from 104.3m south of Concession to 6.7m southerly	Anytime
East Bend	East	from 38.6m south of Cannon to 5.5m southerly	Anytime
Fairfield	East	from 39.4m south of Barton to 5.6m southerly	Anytime

Glendale	East	from 85.2m south of Barton to 6.9m southerly	Anytime
Somerset	North	from 145.9m east of Sherman to 5.4m westerly	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Madison	East	commencing 50.4m north of Wilson and extending 5.4m northerly therefrom	Anytime"
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5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Concession	South	East 26 th to 9m easterly	Anytime
Concession	South	from 27.6m east of East 26 th to 8m easterly	Anytime"

and by adding to Section "F" thereof the following items, namely:

"Green Mountain Road	South	From the western intersection with Tenth Road East to 416m easterly	Anytime
Herbert Court	Both	Lakeview Drive to the southern end of Herbert Court	5:00 p.m. to 9:00 p.m. Monday to Thursday May to September
Thomas Court	Both	Lakeview Drive to the southern end of Thomas Court	5:00 p.m. to 9:00 p.m." Monday to Thursday May to September

and by deleting from Section "G" thereof the following item, namely:

"Concession	South	East 26 th to 52 ft. east	Anytime"
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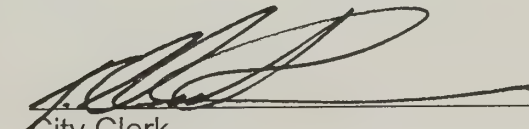
6. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"South Bend	South	36 feet	280 feet east of East 16 th	8:00 a.m. - 9:00 p.m." Monday to Friday
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7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 25th day of September, 2002.



Mayor

City Clerk

Authority: Item 33, Committee of the Whole
Report 02-025
(TOE02098/FCS02066)
CM: June 26, 2002

Bill No. 272

City of Hamilton

BY-LAW NO. 02-272

Being a By-law to impose a sewer rate under Section 221 and Subsection 210(85) of the Municipal Act, R.S.O. 1990, Chapter M.45. upon owners or occupants of land abutting Seabreeze Crescent and McNeilly Road, in the City of Hamilton.

WHEREAS the Council of the City of Hamilton authorized the construction of a sanitary sewer on Seabreeze Crescent from Glover Access Road easterly to McNeilly Road, and south on McNeilly Road to North Service Road, in the City of Hamilton, hereinafter, the "Sewer Works" by approving Item 33 of Committee of the Whole Report 02-025 (Report TOE02098/FCS02066) on June 26th, 2002;

AND WHEREAS at the said meeting of June 26, 2002 the Council also authorized the full cost of recovery of the capital costs for said Sewer Works by way of Section 221 of the Municipal Act by imposing a sewer rate upon the owners of land who derive, will derive, or may derive a benefit from the Sewer Works and full recovery of the capital costs for each service drain connection pursuant to Subsection 210(85) of the Municipal Act.

AND WHEREAS at the time of the passage of this By-law, the estimated capital cost of the Sewer Works is \$450,000.00 and the estimated capital cost of the construction for the service drain connections is \$116,000.00, totalling an estimated \$566,000.00;

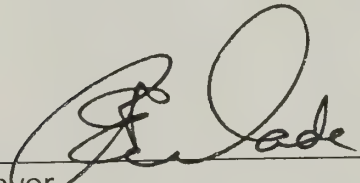
NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. A sewer rate is hereby imposed, pursuant to Section 221(2) of the Municipal Act, as amended, upon the owners of land who derive, will derive or may derive a benefit from the construction of the sewage works, hereinafter "Assessed Owners".
2. The Assessed Owners' lands and the estimated sewer rate are more particularly described in Schedule "A" hereto, which Schedule forms part of this By-law.
3. The sewer rate for the connecting Sewer Works, to service eighty-one (81) Assessed Owners, at an estimated cost of \$450,000.00 shall be shared equally by the Assessed Owners in the estimated amount of \$5,625.00 per property, and which rate is considered to be fair.

4. In addition to the sewer rate, the estimated capital cost of the construction for each service drain connection to the Sewer Works is \$2,000.00 per connection; the cost of which will be added to the sewer rate pursuant to Subsection 210(85) of the Municipal Act.
5. The charge resulting from the application of the sewer rate and cost of the service drain connection, hereinafter, the "Indebtedness", shall be due and payable at the time of the issuance of the sewer construction permit, in addition to the regular permit fee.
6. The Assessed Owners who connect to the Sewer Works have the option of paying the sewer rate and service drain connection charge by way of annual payments over a period of fifteen (15) years by entry on the collector's roll, to be collected in the same way, as municipal taxes are collected. The interest rate utilized for the 15 year payment shall be the annual interest rate approved for the City's Municipal Act Program (2002 rate – 6.25%) or the Council approved rate substituted therefor.
7. Notwithstanding Section 6, an Assessed Owner may pay the commuted value of the Indebtedness at any time.
8. The sewer rate shall be indexed annually in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing one year from the date of the passage of this By-law.
9. The sewer rate and the resulting Indebtedness imposed by this By-law shall be a lien and charge upon the Assessed Owner's lands and, if the Indebtedness, or any portion thereof, remains unpaid after the due date established in section 5 or section 6 herein, the unpaid amount may be entered on the collector's roll and collected in the same manner as municipal taxes.
10. If the Assessed Owner severs or subdivides his or her parcel of land, then the remaining balance of the Indebtedness owed to the City, whether the subject land is connected to the Sewer Works or not, shall be paid to the City as a condition of severance or subdivision approval.
11. If any provision or requirement of this By-law, or the application thereof to any person or land shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of this By-law, or the application of such provisions or requirements to all persons and lands other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable.

12. This By-law shall come into force and take effect on the day following the date of its passing and enactment.

PASSED and ENACTED this 25th day of September, 2002.



Mayor



City Clerk

SCHEDULE -A- TO BY-LAW NO.

SANITARY SEWER ON SEABREEZE CRESCENT FROM GLOVER ACCESS ROAD TO MCNEILLY ROAD
AND ON MCNEILLY ROAD FROM SEABREEZE CRESCENT TO SOUTH SERVICE ROAD

TOTAL ESTIMATE SEWER RATE: \$7,556.00 (INCLUDES PRIVATE DRAIN
CONNECTION ESTIMATED AT \$2,000.00 EACH)

ASSESSMENT ROLL NUMBER	PROPERTY ADDRESS	ASSESSED OWNER	SEWER RATE(\$)
003 020 08800	478 MCNEILLY RD	JACK & VERONICA CHAN	7,556
003 020 09000	474 MCNEILLY RD	SALLY COLAMARTINI	7,556
003 020 09200	470 MCNEILLY RD	MICHAEL & TERESA CELI	7,556
003 020 18400	87 SEABREEZE UNIT 12	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18401	87 SEABREEZE UNIT 13	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18402	87 SEABREEZE UNIT 14	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18403	87 SEABREEZE UNIT 15	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18404	87 SEABREEZE UNIT 16	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18405	87 SEABREEZE UNIT 17	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18406	87 SEABREEZE UNIT 18	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18407	87 SEABREEZE UNIT 19	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18408	87 SEABREEZE UNIT 20	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18409	87 SEABREEZE UNIT 21	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18410	87 SEABREEZE UNIT 22	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18411	87 SEABREEZE UNIT 23	DA VINCI DEVELOPMENTS LTD.	7,556
003 020 18600	MCNEILLY RD LOT 1	ROCCO GRILLI, CESIDIO FERRELLI	7,556
003 020 18601	SEABREEZE LOT 2	ROCCO GRILLI, CESIDIO FERRELLI	7,556
003 020 18602	SEABREEZE LOT 3	ROCCO GRILLI, CESIDIO FERRELLI	7,556
003 020 18603	SEABREEZE LOT 4	ROCCO GRILLI, CESIDIO FERRELLI	7,556
003 020 18604	SEABREEZE LOT 5	ROCCO GRILLI, CESIDIO FERRELLI	7,556
003 020 18800	39 SEABREEZE	BENVENUTO & ASUNTA FAVRETTO	7,556
003 020 19000	37 SEABREEZE	SHARON HEIBERT & SERGE MORISSETTE	7,556
003 020 19200	45 SEABREEZE (26 UNITS)	ROCCO GRILLI, CESIDIO FERRELLI	146,444
003 020 19400	61 SEABREEZE	THOMAS & RICHARD BUDD	7,556
003 020 19600	63 SEABREEZE	SYLVIA SMITHSON	7,556
003 020 19800	65 SEABREEZE	LEONARD & MARGARET HOLLAND	7,556
003 020 20000	67 SEABREEZE LOT 16	CHRISTIAN BEIER	7,556
003 020 20001	67 SEABREEZE LOT 15	CHRISTIAN BEIER	-
003 020 20002	67 SEABREEZE LOT 14	CHRISTIAN BEIER	-
003 020 20400	101 SEABREEZE	MICHAEL & GWYNE DUBEC	7,556
003 020 20600	96 SEABREEZE	DAVID & JANET DOCKREE	7,556
003 020 20800	94 SEABREEZE	PASQUA & SANTINO PARETE	7,556
003 020 21000	92 SEABREEZE	MICHAEL CHRISTOPHER	7,556
003 020 21200	90 SEABREEZE	RAMIRO & CARMELINA MEDINA	7,556
003 020 21400	86 SEABREEZE	WAYNE & LAURIE HARRISON	7,556
003 020 21600	84 SEABREEZE	BORROMEO & MANUEL ARNALDO	7,556
003 020 21800	82 SEABREEZE	544515 ONTARIO LIMITED	7,556
003 020 22000	80 SEABREEZE	WILLIAM MELLOR	7,556
003 020 22200	76 SEABREEZE	ROGER GABSZEWICZ	7,556
003 020 22600	74 SEABREEZE	GERALD WILLIAMS	7,556
003 020 22800	72 SEABREEZE	THEODOR & CAROL MULDER	7,556
003 020 23000	70 SEABREEZE	GLORIA BOWER	7,556
003 020 23200	68 SEABREEZE	MIGUELLE LADAGE	7,556
003 020 23400	66 SEABREEZE	STEPHAN & ANNA FARYNYCZ	7,556
003 020 23600	64 SEABREEZE	ANDREW & ANGELA STEELE	7,556
003 020 23800	62 SEABREEZE	JOSEPH BAUS	7,556
003 020 24000	60 SEABREEZE	DAVID & AUDREY THOMAS	7,556
003 020 24200	58 SEABREEZE	CHRISTIAN & BRENDA BEIER	7,556
003 020 24400	56 SEABREEZE	PAMELA MINNICK	7,556
003 020 24600	54 SEABREEZE	DOUGLAS HAWKES	7,556
003 020 24800	52 SEABREEZE	SHIRLEY YORK	7,556
003 020 25200	50 SEABREEZE	GREGORY O'DONNELL	7,556
003 020 25400	48 SEABREEZE	BARRY & MARSHA WALKER	7,556
003 020 25800	46 SEABREEZE	CATHERINE & ALESSANDRO BANDUCCI	7,556
003 020 26000	44 SEABREEZE	ALFRED & JEANNE THOMPSON	7,556
003 020 26200	40 SEABREEZE	PAUL & OLGA KURULIAK	7,556
003 020 26400	36 SEABREEZE	DOLORES PINTWALA	7,556
003 020 26600	34 SEABREEZE	CAMRELITA NEYEDLI	7,556
TOTAL			\$ 562,024.00

THE CITY OF HAMILTON

BY-LAW NO. 02-273

To Confirm the Proceedings of City Council at its meeting held on September 25, 2002

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

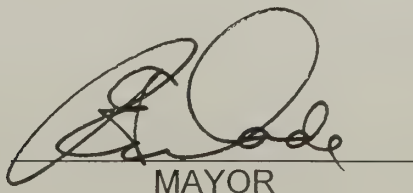
1. The Action of City Council at its meeting held on the 25th day of September, 2002 in respect of each recommendation contained in:

Report 02-031 of the Committee of the Whole,
Report 02-032 of the Committee of the Whole,
Report 02-029 of the Hearings Sub-Committee,
Report 02-030 of the Hearings Sub-Committee,
Report 02-009 of the Grants Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 25th day of September, 2002



MAYOR



CITY CLERK

Bill No. 274

**CITY OF HAMILTON
BY-LAW NO. 02- 274
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

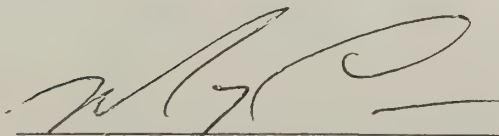
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Normanhurst Northbound and Southbound Melvin"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of October, 2002


A/ MAYOR - Murray Ferguson


CLERK

CITY OF HAMILTON

BY-LAW NO. 02- 275

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Hess	East	Duke to south property	1 hr	8 am – 8 am	Mon-Sun"
		line of 181 Hess St. S.		(24 hrs)	

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following [item or items], namely:

"Davidson Blvd.	East	Pirie Dr. to Huntingwood Ave.	Anytime"
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3. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Hess East Duke to the south property line of 181 Anytime"
 Hess Street South

and by deleting from Section "E" thereof the following [item or items], namely:

"East 21st West commencing 90 feet north of Crockett and Anytime"
 extending 22 feet northerly therefrom

4. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"East 32nd East from 22m north of Crockett to 7:00 a.m. to 6:00 p.m."
 5.4m northerly Monday to Friday

5. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

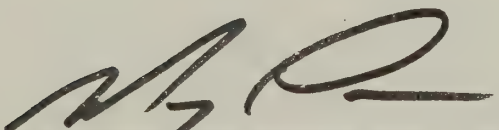
"King St. South from 19.5m east of Main to 10m easterly Anytime"

6. Schedule 16 (Taxi Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Lamoreaux North from 44 feet west of Strathcona 7:00 a.m. to 6:00 p.m."
 to 80 feet westerly Monday to Saturday

7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of October, 2002.



A-Mayor, Murray Ferguson



City Clerk

CITY OF HAMILTON

BY-LAW NO. 02-276

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by deleting from Subsection 1 of Section G thereof the following items, namely:

"Ottawa	East	Dunsmure to Barton
Ottawa	East	Main to Dunsmure
Ottawa	West	Roxborough to Barton"

2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended adding to Subsection "B" of Section "G" thereof the following Clause, namely:

"20. Two Hour Limit between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon on Monday, Tuesday, Wednesday and Saturday, and between the hours of 8 o'clock in the forenoon and 9 o'clock in the

afternoon on Thursday and Friday, on the following streets and parts of streets, excepting such parts of the same where parking or stopping is prohibited.

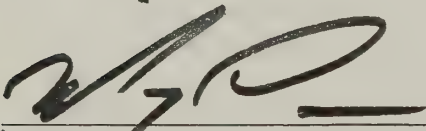
<u>Street</u>	<u>Side</u>	<u>Location"</u>
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3. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Clause 20 of Section "G", Subsection "B" thereof the following items, namely:

"Ottawa	East	Dunsmure to Barton
Ottawa	East	Main to Dunsmure
Ottawa	West	Roxborough to Barton"

4. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
5. This By-law shall come into force and take effect on the date of its passing and enactment and shall be repealed and no longer in force and effect as of 1:00 a.m. on the 1st day of December, 2002.

PASSED and ENACTED this 9th day of October, 2002.



A/Mayor Murray Ferguson



City Clerk

CITY OF HAMILTON

BY-LAW NO. 02-277

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
and to Amend By-law No. 01-216, as amended,
Being a By-law Respecting The Construction, Maintenance, Operation,
Management And Regulation Of Municipal Parking Facilities**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 1(n) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom clause "(i)", in its entirety, and by substituting in its place the following clause, namely:

"(i) for which a permit fee under the Highway Traffic Act is based upon the weight of the vehicle and load (Registered Gross Vehicle Weight), in excess of forty-five hundred (4500) kilograms; or,"

and by deleting therefrom clause "(iii)", in its entirety, and by substituting in its place the following clause, namely:

"(iii) which is equipped with dual rear wheels or tandem rear axles, provided that this shall not apply to a pick-up truck having a Registered Gross Vehicle Weight of forty-five hundred (4500) kilograms or less; or,"

2. Section 12(5) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom clause "(l)" in its entirety and by substituting in its place the following clause, namely:

"(l) On any driveway in the area between a municipal sidewalk and the roadway; or,"

3. Section 12(5) of By-law No. 01-218, as amended, is hereby further amended by adding thereto the following clauses, namely:

"(m) In any City alleyway, provided suitable signs prohibiting parking are erected and maintained; or,

(n) In any turn-around area or cul-de-sac, provided suitable signs are erected and maintained; or,

(o) On any highway for the purpose of displaying it for sale."

4. Section 13(1) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom clause "(i)" in its entirety and by substituting in its place the following clause, namely:

"(i) Within seventy-six (76) metres [250 ft.] of any signalized intersection, provided suitable signs are erected and maintained, except buses at a sign marking a bus stop, and save that this prohibition shall not apply to the parking of a vehicle temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, within a loading bay constructed adjacent to the through lanes of the roadway and designated as such in the appropriate schedule subjoined to and forming a part of this by-law;"

and by deleting therefrom clause "(q)" in its entirety and substituting in its place the following clause, namely:

"(q) Less than three (3) metres [10 ft.] from a point at the edge of the roadway which is directly opposite a hydrant and on the same side of the roadway as said hydrant; or,"

5. Section 13(1) of By-law No. 01-218, as amended, is hereby further amended by adding thereto the following clauses, namely:

"(r) In any City alleyway, provided suitable signs prohibiting stopping are erected and maintained; or,

- (s) Within forty-five (45) centimetres [18 in.] of any wheelchair ramp leading from a municipal sidewalk to the roadway; or,
- (t) Within fifteen (15) metres [50 ft.] of an intersection, provided suitable signs are erected and maintained."

6. Section 9 of By-law No. 01-216, is hereby amended by deleting subsection (7) therefrom, in its entirety, and by substituting in its place the following subsection, namely:

"(7) Park or stop any vehicle other than an ordinary passenger automobile, a motorcycle, or a commercial motor vehicle of a registered gross vehicle weight of not more than forty-five hundred (4500) kilograms, save and except that this prohibition shall not apply to a snow plough, bus or other vehicle which is present by authority of Parking Operations;"

7. By-law No. 01-218, as amended, is hereby further amended by renumbering Sections 23 through 36, both inclusive, as Sections 24 through 37, respectively.

8. By-law No. 01-218, as amended, is hereby further amended by adding thereto the following prohibitive section, namely:

"23 No person shall:

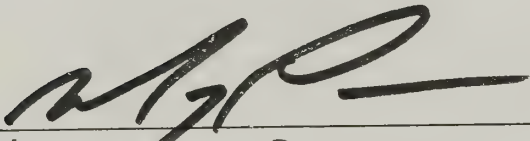
- (1) Wash down any vehicle parked, stopped or standing on any highway.
- (2) Perform automotive services, maintenance or repairs, to any vehicle parked, stopped or standing on any highway.

Save and except that this section shall not prohibit the performance of
- minor emergency repairs necessary to provide for the safe removal of the subject vehicle from the highway."

9. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-216 and By-law No. 01-218, including all Schedules thereto if any, as amended, are hereby confirmed unchanged.

10. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of October, 2002.


A/Mayor- Murray Ferguson


City Clerk

City of Hamilton

BY-LAW NO. 02-278

Being a By-law to impose a sewer rate under Section 221 and Subsection 210(85) of the Municipal Act, R.S.O. 1990, Chapter M.45 upon owners or occupants of land abutting a section of Second Road West in the City of Hamilton.

WHEREAS a developer, 1322285 Ontario Ltd., in satisfaction of terms and conditions of two Subdivision Agreements dated July 21st, 2000 and November 5th, 2001 respectively, did construct a sanitary sewer system on land abutting Second Road West approximately five hundred and twenty-five (525) metres south of Highland Road to Rymal Road, in the City of Hamilton, hereinafter referred to as the "Sewer Works".

AND WHEREAS the Council of the City of Hamilton authorized the repayment of costs to the developer pursuant to the terms and conditions of the said Subdivision Agreements, by approving Item 42 of Committee of the Whole Report 02-028 on August 14th, 2002;

AND WHEREAS at the said meeting of August 14th, 2002 the Council also authorized the full cost of recovery of the capital costs for said Sewer Works by way of Section 221 of the Municipal Act by imposing a sewer rate upon the owners of land who derive, will derive, or may derive a benefit from the Sewer Works and full recovery of the capital costs for each service drain connection pursuant to Subsection 210(85) of the Municipal Act.

AND WHEREAS at the time of the passage of this By-law, the estimated capital cost of the Sewer Works is \$106,836.42 and the estimated capital cost of the construction for the service drain connections is \$14,185.40 totalling an estimated \$121,021.82;

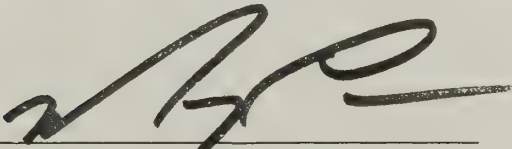
NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. A sewer rate is hereby imposed, pursuant to Section 221(2) of the Municipal Act, as amended, upon the owners of land who derive, will derive or may derive a benefit from the construction of the sewage works, hereinafter referred to as "Assessed Owners".
2. The Assessed Owners' lands and the estimated sewer rate are more particularly described in Schedule "A" hereto, which Schedule forms part of this By-law.

3. The sewer rate for the connecting Sewer Works, to service twenty (20) Assessed Owners, at an estimated cost of \$106,836.42 shall be attributed to each Assessed Owner on the basis of assessable frontage of the subject lands, at an estimated cost per metre of frontage of \$119.56 and which rate is considered to be fair.
4. In addition to the sewer rate, the estimated capital cost of the construction for each service drain connection to the Sewer Works is \$709.27 per connection; the cost of which will be added to the sewer rate pursuant to Subsection 210(85) of the Municipal Act.
5. The charge resulting from the application of the sewer rate and cost of the service drain connection, hereinafter, the "Indebtedness", shall be due and payable at the time of the issuance of the sewer construction permit, in addition to the regular permit fee.
6. The Assessed Owners who connect to the Sewer Works have the option of paying the sewer rate and service drain connection charge by way of annual payments over a period of fifteen (15) years by entry on the collector's roll, to be collected in the same way, as municipal taxes are collected. The interest rate utilized for the 15 year payment shall be the annual interest rate approved for the City's Municipal Act Program (2002 rate – 6.25%) or the Council approved rate substituted therefor.
7. Notwithstanding Section 6, an Assessed Owner may pay the commuted value of the Indebtedness at any time.
8. The sewer rate shall be indexed annually in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing one year from the date of the passage of this By-law.
9. The sewer rate and the resulting Indebtedness imposed by this By-law shall be a lien and charge upon the Assessed Owner's lands and, if the Indebtedness, or any portion thereof, remains unpaid after the due date established in section 5 or section 6 herein, the unpaid amount may be entered on the collector's roll and collected in the same manner as municipal taxes.
10. If the Assessed Owner severs or subdivides his or her parcel of land, then the remaining balance of the Indebtedness owed to the City, whether the subject land is connected to the Sewer Works or not, shall be paid to the City as a condition of severance or subdivision approval.

11. If any provision or requirement of this By-law, or the application thereof to any person or land shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of this By-law, or the application of such provisions or requirements to all persons and lands other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable.
12. The developer, upon satisfying the City that it has completed its obligations with respect to the construction of the Sewer Works and service drains connections for the Assessed Owners lands, shall receive repayment of the associated costs pursuant to the terms and conditions of the said Subdivision Agreements and authorized by the Council of the City of Hamilton, herein.
13. This By-law shall come into force and take effect on the day following the date of its passing and enactment.

PASSED and ENACTED this 9th day of October, 2002.


A/ Mayor - Murray Ferguson


City Clerk

SCHEDULE - A - TO BY-LAW NO.

DESCRIPTION: 121,021.82
 ESTIMATED COST: \$ 121,021.82
 ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 119.56
 LOCATION: SANITARY SEWERS ON SECOND ROAD WEST FROM RYMAL ROAD TO 467M NORTHERLY

The specially assessed rate imposed on benefitting property owners may be paid in one lump sum amount (column 6) or be financed and paid in (15) fifteen annual consecutive installments commencing the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND METRES	EXEMPT FRONTAGE METRES	FRONTAGE SUBJECT TO RATE METRES	ESTIMATED LUMP SUM CASH PAYMENT \$	ASSESSED OWNER
SC 100 850 33400	CON 8 PT LT 28	42.98	.00	42.98	5,138.69	FRANCY & DEMEY HOLDINGS
SC 100 850 33600	CON 8 PT LT 28	30.48	.00	30.48	3,644.19	SANTO LABELLA
SC 100 850 33800	CON 8 PT LOT 28	30.48	.00	30.48	3,644.19	STEVEN & MARY SMOOK
SC 100 850 34000	CON 8 PT LOT 28	18.29	.00	18.29	2,186.75	EDWARD & CHERYL BABINEAU
SC 100 850 34200	CON 8 PT LT 28	18.29	.00	18.29	2,186.75	WILLIAM & SOPHIE MURRAY
SC 100 850 34400	CON 8 PT LT 28	18.29	.00	18.29	2,186.75	JANET & ROY MATTHEWS
SC 100 850 34600	CON 8 PT LT 28	18.29	.00	18.29	2,186.75	BOHDAN & MARIA DYKYY
SC 100 850 34800	CON 8 PT LT 28	32.00	.00	32.00	3,825.92	GUY & GIZELLA HENDERSON
SC 100 850 34900	CON 8 PT LOT 28	30.48	.00	30.48	3,644.19	ANTONIO & CONCETTA COSTANTINI
SC 100 850 35000	CON 8 PT LOT 28	32.00	.00	32.00	3,825.92	ROSARIO & REGINA LEDUC
SC 100 850 35050	CON 8 PT LT 28	30.48	.00	30.48	3,644.19	ARNALDO & CLARA DIGIANTOMASSO
SC 100 850 35100	CON 8 PT LT 28	30.48	.00	30.48	3,644.19	KENT & KAREN ADAM
SC 100 850 35200	CON 8 PT LOT 28	32.00	.00	32.00	3,825.92	MARIAN NICHOLS
SC 100 850 35400	CON 8 PT LT 28	32.00	.00	32.00	3,825.92	WILLIAM & ALICE GOSLING
SC 100 850 35500	CON 8 PT LT 28	30.48	.00	30.48	3,644.19	SALVATORE & LINA IANNITELLI
SC 100 850 35600	CON 8 PT LOT 28	13.98	.00	13.98	1,671.45	VICTOR AUSTIN & SARAH SCOTT
SC 100 850 52660	CON. 8, PT.LT. 29	452.58	.00	452.58	54,110.46	ONTARIO LAND CORPORATION

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893.58	.00	893.58	.00	893.58	106,836.42	
=====	=====	=====	=====	=====	=====	=====
TOTAL						

Bill No. 279

**CITY OF HAMILTON
BY-LAW NO. 02-279
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

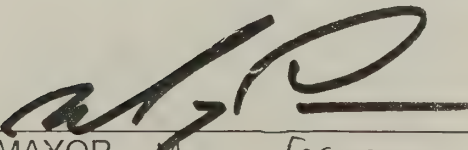
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Donnici Northbound Donnici"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of October, 2002


A/ MAYOR - Murray Ferguson


CLERK

Bill No. 280

**CITY OF HAMILTON
BY-LAW NO. 02-280
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

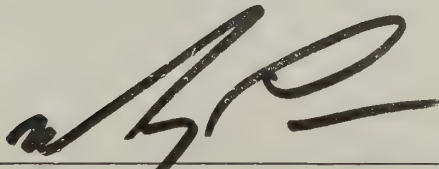
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Bianca Eastbound Upper Wentworth"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of October, 2002



A/ MAYOR - Murray Ferguson



CLERK

Authority: Item 3, Committee of the Whole
Report 02-033 (TOE02178)
CM: October 9, 2002

Bill No. 281

**CITY OF HAMILTON
BY-LAW NO. 02-281
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following item, namely:

"Cedarlawn	Northbound	Greencedar"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 9th day of October A.D. 2002


A/ MAYOR - Murray Ferguson


CITY CLERK

Bill No. 282

**CITY OF HAMILTON
BY-LAW NO. 02-282
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

27. Schedule 27 (Truck Routes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Burlington Street	Windermere Road to Wellington Street	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Catharine Street	Off Dock Service Road	Anytime
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Dock Service Road	Off Ferguson Avenue	Anytime
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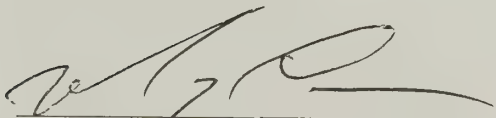
Ferguson Avenue	Burlington Street to Dock Service Road	Anytime
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Burlington Street	From Windermere Road to Mary Street	Anytime
-------------------	-------------------------------------	---------

Mary Street	Burlington Street to Barton Street	Anytime"
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34. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
35. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of October, 2002


Acting MAYOR - Murray Ferguson


CITY CLERK - Kevin C. Christenson.

Bill No. 283

CITY OF HAMILTON

BY-LAW NO. 02-283

To Regulate Open Air Burning

WHEREAS at present there are six different procedures in effect across the City to regulate open air burning;

AND WHEREAS it is in the interests of the City to adopt a uniform scheme of regulation with respect to open air burning;

AND WHEREAS the *Ontario Fire Code* O. Reg. 388/97, as promulgated under the *Fire Protection and Prevention Act*, provides the basis for a satisfactory scheme of uniform regulation.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Interpretation

1.1 In this By-law

- (a) “City” means the City of Hamilton;
- (b) “conduct” means with respect to a fire to burn, or to set a fire for burning;
- (c) “Fire Chief” means the City’s Director of Emergency Services;
- (d) “Fire Department” means Hamilton Emergency Services-Fire;

- (e) “open air burning” means any fire that is conducted outside a building,
 - (i) including a fire conducted in a garden, yard, alley, field, park, industrial site, construction site, building lot, parking lot, street, or other open place, but
 - (ii) excluding the operation of welding or similar equipment, the operation of a coal or wood fired locomotive or boat, or a controlled burn that is part of a manufacturing process;
- (f) “Permit” means permission to conduct open air burning granted by the City issued under section 2 of this By-law;
- (g) “occupant” means the person having effective control over or apparent possession of any property or the relevant portion thereof, and for the purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property
- (h) “owner” means the registered owner of property;
- (i) “property” means any public or private land, building, structure or other real property within the City.

1.2 In this By-law,

- (a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;
- (b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;
- (c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution therefor or amendment thereof;

- (d) the headings to each section are inserted for convenience of reference only and do not form part of the By-law;
- (e) words and abbreviations which have well-known technical or trade meanings are used in the By-law in accordance with those recognized meanings; and
- (f) where an officer of the City is named, or a reference is made to an office of the City, that reference shall be deemed to include a reference to the designate of that person, as appointed in accordance with policies and procedures of the City in force from time to time.

2. Permit Procedure

- 2.1 Any person eighteen years of age or over, who is the owner or occupant of a property within the City, or who has been authorized in writing by the owner or occupant of such property, may apply to the Fire Department for a Permit to conduct an open air burning.
- 2.2 The person to whom a Permit is granted shall be present in person at all times during which the burn is being conducted and cleaned up, and shall be responsible for the manner in which the same are carried out.
- 2.3 The Fire Department shall not issue a Permit under this section where it is of the opinion that the proposed site at which the open air burning is to be conducted is not suitable for that purpose.
- 2.4 Where the proposed site at which an open air burning is to be conducted is within the urban boundary of the City as defined in the Regional Official Plan, no Permit shall be issued unless the Fire Department has carried out an inspection of the proposed site to determine whether the burn can be safely conducted without nuisance or risk to neighboring properties, the proof of which shall lie on the applicant.
- 2.5 An applicant for a Permit under this section shall provide, together with his or her application,
 - (a) such information or authorization as is required under this By-law;

- (b) where required by the City, evidence of insurance on such terms and in such amount as the City's Manager of Risk Management may prescribe from time to time;
 - (c) a description of the site to be used for the open air burning, sufficient to identify each site for which application is made;
 - (d) such further information as the Fire Department may reasonably require.
- 2.6 A Permit issued under this section is valid on the date of issue and for the balance of the calendar year in which the permit is issued.
- 2.7 A Permit issued under this section may be made subject to such terms and conditions as the Fire Department may consider to be necessary in the interests of public safety, or to minimize inconvenience to the general public, or advisable in the circumstances or to give effect to the objects of this By-law, and every Permit holder shall comply with those terms and conditions.
- 2.9 From time to time, the Fire Chief may promulgate guidelines respecting the conduct of open air burning within the City, and where such guidelines are promulgated,
 - (a) all such guidelines shall be deemed to constitute terms and conditions applicable to any Permit subsequently issued, so long as they remain in force; and
 - (b) the Fire Department shall give a copy of the current guidelines to any person to whom a Permit is issued under this By-law.
- 2.10 A Permit issued under this By-law is not transferable.
- 2.11 Where any holder of a Permit fails or refuses to comply with a term or condition to which the Permit is subject, the Fire Department shall immediately revoke the Permit and shall forthwith send a written notice of that revocation to the Permit holder and of the occupant of the site at which the fire was to be conducted, if not the same person.
- 2.12 The Fire Department may require an applicant for a Permit under this By-law to provide such information as the Fire Chief considers necessary or advisable in

his or her reasonable discretion to allow the Fire Department to make an informed decision as to whether or not to grant a Permit under this By-law, and where that information is not provided in the form and manner required, the Fire Department may refuse to issue that Permit.

3. Conduct of Open air burning

3.1 Every person to whom a Permit is issued under section 1 shall:

- (a) produce the Permit on demand to any person authorized to enforce this By-law;
- (b) permit the inspection by the Fire Department of any site where the fire is being, is proposed to be, or has been conducted, and
- (c) comply with all guidelines governing the conduct of the open air burning, and such directions as may be given by a member of the Fire Department with respect to the fire.

3.2 Every person to whom a Permit is issued under this section shall, immediately after the fire is conducted and extinguished, carry out a site inspection and shall

- (a) remove all unburned flammable material from the site of the fire;
- (b) gather together and remove all ash and other debris remaining into a fire resistant receptacle;
- (c) return the site to the condition it was in prior to the conduct of the fire.

3.3 So long as an open air burning is burning, the site of that fire shall be kept under continual surveillance by a person eighteen years of age or older, until the final site inspection has been completed by Permit-holder identified under section 3.2.

3.4 No person shall conduct an open air burning in a manner that creates a nuisance, taking into account all associated noise, smoke, sparks and other dangers relating to the spread of fire, the risk of explosion, and risk of death, injury and damage to property inherent in the conduct of a fire.

3.5 A person who conducts an open air burning shall use reasonable care to ensure that the site of the fire is not accessible to children.

4. Offenses

- 4.1 No person shall carry out, or permit a person to carry out on property of which he or she is the owner or occupant, any open air burning unless that person is the holder of a current Permit authorizing that burning to take place.
- 4.2 Section 4.1 does not apply where the open air burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill or a barbecue.
- 4.3 No open air burning shall be carried out at a time when a smog alert or smog advisory is in effect within the City or any part of the City, other than an open air burning within the scope of section 4.2.
- 4.4 No person shall carry out open air burning in an unsafe manner, or in a manner inconsistent with any terms and conditions applicable to the Permit issued under this By-law.
- 4.5 Every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to the penalties specified by Section 61 of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33.

5. Enforcement

- 5.1 The Fire Chief, the Chief Fire Prevention Officer, and every member of the Fire Department designated as an Assistant to the Fire Marshall are authorized to enforce this by-law.
- 4.2 From time to time, the Fire Chief may approve all such forms as may be contemplated under this By-law, including forms of Permit and applications for Permit, and an applicant for any Permit under this By-law shall use the appropriate form of application and provide all information required thereon.

6. Repeals

- 6.1 The following By-laws are repealed:

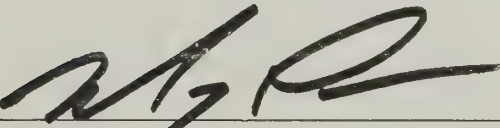
- (a) the *Open Air Burning By-law* of the former City of Stoney Creek, being By-law No. 4583-97 of that City;

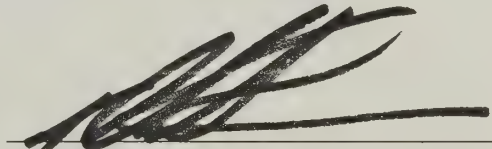
- (b) the *By-law to Regulate the Setting of Fires* of the former Township of Glanbrook, being By-law No. 510-94 of that Township;
 - (c) the *By-law to Regulate the Setting of Bonfires* of the former Township of Ancaster, being By-law no 1360 of that Town,
- and all amendments to those By-laws.

6.2 This by-law comes into force and effect on January 1, 2003.

6.3 This by-law may be cited as the *Open Air Burning By-law*.

PASSED and ENACTED this 9th day of October, 2002.


A/ MAYOR - Murray Ferguson


CLERK

CITY OF HAMILTON

BY-LAW NO. 02-284

To Establish Fees for Fire Prevention and Suppression Services

WHEREAS Section 220.1 of the *Municipal Act*, R.S.O. 1990, c. M.45, provides for the Council of a Municipality to enact a by-law to impose fees or charges for the provision of services.

NOW THEREFORE the Council of the City enacts as follows:

1. Interpretation

1.1 In this By-law

- (a) “City” means the City of Hamilton;
- (b) “false alarm” means an alarm condition in a building to which the Fire Department is dispatched and in respect of which no fire or carbon monoxide problem is found;
- (c) “Fire Department” means the Hamilton Emergency Services-Fire;
- (d) “Fire Prevention Service” means a fire prevention service to which this By-law applies;
- (e) “non-resident” means a person who does not reside in the City and who is not the owner or tenant of a property in the City;
- (f) “owner” means the person having effective control over or apparent possession of property or the relevant portion thereof, or where that person cannot be determined, the registered owner of that property, and for the

purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property;

- (g) “property” means any public or private land, building, structure or other real property within the City, but does not include real property or any leasehold interest therein owned by the Crown either Federally or Provincially.

1.2 For the purposes of this By-law, the Fire Department shall be deemed,

- (a) to have responded to a call for assistance, emergency services or a fire or emergency service related incident where any one or more vehicles, equipment or personnel of the Fire Department are dispatched or otherwise respond to that call or incident; and
- (b) in determining whether it has responded for a second or subsequent time, regard shall be had only to responses of the Fire Department within the immediately preceding twelve month period.

1.3 In this By-law,

- (a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;
- (b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;
- (c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution therefor or amendment thereof;
- (d) the headings to each section are inserted for convenience of reference only and do not form part of the By-law;

- (e) words and abbreviations which have well-known technical or trade meanings are used in the By-law in accordance with those recognized meanings;
- (f) where an officer of the City is named, or a reference is made to an office of the City, that reference shall be deemed to include a reference to the designate of that person, as appointed in accordance with policies and procedures of the City in force from time to time.

2. Fees for Fire Prevention Services

Unless waived by the Director of Emergency Services or the Chief Fire Prevention Officer a person who requests any one or more of the Fire Prevention Services to which this By-law applies shall pay the appropriate fee specified in this By-law.

3. Notice of Work or Testing

- 3.1 No person shall undertake any work or testing on any life safety system or device that sends an alarm directly to an alarm monitoring company without prior notice to that alarm monitoring company
- 3.2 No person shall undertake any work or testing on any life safety system or device that does not send a signal to an alarm monitoring company without prior notice to the Fire Department Communications Division.

4. Fees for False Alarm Responses

- 4.1 Where the Fire Department responds to a false alarm that is the result of a failure to notify either an alarm monitoring company as described in Section 3.1, or is the result of a failure to notify the Fire Department as described in Section 3.2, the owner of the property in respect of which such a false alarm has occurred shall pay a fee of \$500 in respect of that alarm.
- 4.2 Where the Fire Department responds to four or more false alarms in the same building in any 30 day period, the property owner (or, in lieu thereof, the person responsible for those false alarms, where that person can be determined) shall pay a fee of \$350 for the fourth alarm and for any subsequent false alarm during that 30 day period.

- 4.3 Unless section 4.2 applies, where the Fire Department responds to six or more false alarms in the same building in any calendar year, the property owner (or, in lieu thereof, the person responsible for those false alarms, where that person can be determined) shall pay a fee of \$350 for the sixth alarm and for any subsequent false alarm during that calendar year.

5 Non-Resident Motor Vehicle Responses

- 5.1 Where the Fire Department responds to a call or incident within the City pertaining to a motor vehicle owned by a non-resident of the City, the owner of that non-resident motor vehicle may be charged and (if charged) shall pay a response fee set of \$350 per Fire Department vehicle for the first hour during which such vehicles are involved in that response (measured from the time of dispatch to the time of their departure from the scene), plus \$175 for each half hour thereafter, as determined in accordance with section 8.
- 5.2 Where the Fire Department responds to a call or incident within the City that pertains to more than one motor vehicle owned by non-residents of the City, the applicable response fee will be equally divided among all non-resident motor vehicle owners.

6 Open Air Burning

- 6.1 Where the Fire Department responds to a second or subsequent call or incident, at a property within the City involving an open air fire for which no open-air burning permit has been obtained by the property owner, the owner of the property at which the open-air burning has occurred shall pay a fee of,
- (a) \$350 per vehicle for the first hour during which Fire Department personnel are in attendance at the scene of that property; and
 - (b) \$175.00 per half-hour per vehicle for each half-hour thereafter.
- 6.2 Where the Fire Department responds to a second or subsequent call or incident, at a property within the City that involves a violation of the Fire Department's Open Air Burning Permit guidelines, as published from time to time, the owner of the property at which the open-air burning has occurred shall pay a fee of,
- (a) \$350 per vehicle for the first hour; and

- (b) \$175.00 per vehicle for each half-hour thereafter,
as determined in accordance with section 8.

7 Other Fire Suppression Responses

- 7.1 Where the Fire Department responds to a call or incident within the City of Hamilton involving dangerous goods, other than an emergency, the motor vehicle owner on which those goods are being carried, or (where those goods are not being carried on a motor vehicle), the owner of the property on which those goods are situate, shall be liable for and shall pay the cost of any materials consumed in providing that response.
- 7.2 Where a request is made to have Fire Department apparatus or personnel attend at a community related event for non-emergency stand-by, the decision to provide or not provide this service shall be for the Director of Emergency Services, acting in his or her reasonable discretion based upon staffing, resource allocations, staff safety and any other considerations deemed appropriate by the Director of Emergency Services, but where that service is provided, the organizer of the event shall pay a fee of \$350.00 per vehicle plus appropriate hourly crew costs.
- 7.3 Where a request is made to have Fire Department apparatus or personnel attend at a an event for non-emergency stand-by, and that event is other than a community related event, the decision to provide or not provide this service shall be for the Director of Emergency Services, acting in his or her reasonable discretion based upon staffing, resource allocations, staff safety and any other considerations deemed appropriate by the Director of Emergency Services. If provided, the fee payable shall be \$350.00 per hour per vehicle for the first hour and \$175.00 per half-hour per vehicle thereafter.
- 7.4 Where a request is made for the provision of a Fire Prevention Service described in Column 1 of Schedule A, the property owner shall pay the corresponding fee set out in Column 2 of that Schedule.

8. Computation of Fees

- 8.1 The computation of time for the purposes of determining the appropriate fee for a service shall commence at the time of dispatch or leaving from Fire Department premises and shall end at the time of return to those premises.
- 8.2 Where the provision of service requires attendance on more than one occasion, a separate fee shall be paid for each attendance.
- 8.3 Fire Department staff shall maintain records of the time spent responding to requests for services to which this By-law applies, and in the absence of manifest error, those records shall be conclusive evidence of the facts stated therein.
- 8.4 Any amount provided as being payable as a fee under this By-law shall be deemed to include all applicable Goods and Services Tax.

9 Disputes with Respect to Fees

- 9.1 Where a person who is invoiced in respect of a fee under this By-law disputes his or her liability to that fee, or to the amount of fee calculated as owing, that person may provide a statement in writing setting out in detail the basis of his or her objection to the Director of Emergency Services
- 9.2 Upon receipt of a written objection under subsection 9.1, the Director of Emergency Services shall review the matter as soon as practical and shall determine whether the fee was correctly imposed or calculated, as the case may be.
- 9.3 The Director of Emergency Services shall respond to the person who provided the statement, in writing, providing reasons for his or her decision.
- 9.4 The decision of the Director of Emergency Services in this regard shall be final.

10. Collection of Outstanding Fees

- 10.1 A fee imposed under this By-law is due and payable upon the issue of an invoice therefor by the City to the person liable to pay that fee, and where such a fee is not paid in full by that person within 30 days of the date on which such an invoice was issued, that person shall pay interest on the amount unpaid at a fixed rate of one per cent per month (12.68 per cent per annum) on the amount outstanding,

calculated on a daily basis from the date of the invoice until the date of payment in full, and compounded monthly.

10.2 A fee imposed under this by-law constitutes a debt owed to the City.

10.3 Without limiting any collection remedy otherwise available to the City, the City may add any fee payable with respect to services provided to any property within the City to the tax roll for that property, and the amount may be collected in like manner as municipal taxes.

11. Application

11.1 This By-law comes into effect on the date on which it is passed and enacted by the Council.

11.2 By-law does not apply with respect to a service provided prior to the date on which this By-law came into effect.

12. Transition

12.1 The following are repealed.

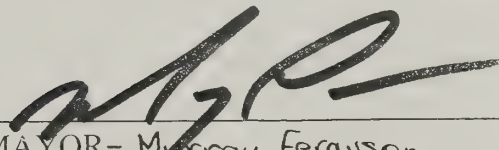
(a) By-law No. 5110-00 of the former Corporation of the City of Stoney Creek, entitled *A By-law To Establish Fees to be Charged for Fire Department Services and Rescue Operations*;

(b) By-law No. 96-53-F of the former Town of Flamborough, entitled *A By-law To Establish a Fee Structure for Charging of Fees for Emergency Services, Responses and Action for Fires Intentionally Set within the Town of Flamborough by Persons who do not Obtain an Open Air Burning Permit or Who are in Violation of the Rules of Said Permit*;

(c) By-law No. 97-085 of the former Corporation of the City of Hamilton, entitled *A By-law to Enact User Fees for the Hamilton Fire Department*.

12.2 Despite section 12.1, the fees payable in section 6 shall not come into effect until January 1, 2003, and until that date, the fees payable with respect to open air burning under the by-laws identified in section 12.1 shall continue in effect.

PASSED and ENACTED this 9th day of October, 2002


A/MAYOR- Murray Ferguson


CLERK

SCHEDULE "A" – INSPECTION SERVICES

ITEM	COLUMN 1	COLUMN 2
1	Inspection of private home day care facilities	\$50.00
2	Inspection of licensed day care facilities	\$120.00
3	Inspection of single family dwellings	\$50.00
4	Inspection of two family dwellings	\$240.00
5	Inspection of residential buildings of 3 stories or less, and having 3 or more apartments	\$420.00
6	Inspection of residential buildings of 4, 5 or 6 stories	\$710.00
7	Inspection of residential buildings of between 7 and 11 stories	\$710.00
8	Inspection of residential buildings of between 12 and 18 stories	\$950.00
9	Inspection of Residential Buildings having more than 18 stories	\$1200.00
10	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 stories or less and less than 3000 square feet per floor	\$190.00
11	Inspection of non-residential Buildings (mercantile, industrial, businesses etc.) having 4 stories or less and between 3000 and 5000 square feet per floor	\$300.00
12	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 stories or less and more than 5000 sq. ft. per floor	\$400.00
13	Inspection of non-residential Buildings (mercantile, industrial, businesses etc.) having more than 4 stories and less than 3000 square feet per floor	\$450.00
14	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 stories or more and between 3000 and 5000 sq. ft. per floor	\$530.00
15	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 Stories or more and more than 5000 sq. ft. per floor	\$710.00
16	Inspection of foster care homes having a capacity of 4 or less and group homes having a capacity 3 or less	\$50.00

17	Inspection of foster care homes With a capacity of more than 4	\$190.00
18	Inspection of group homes with a capacity of more than 3	\$190.00

19	Inspection of AGCO licence requests - Indoor	\$130.00
20	Inspection of AGCO licence requests – Patio	\$60.00
21	Copy of a fire response report	\$30.00
22	File Searches concerning Outstanding Work Orders	\$50.00
23	Requests for fire route establishment, whether new or a review of an existing	\$180.00
24	Requests for environmental file searches	\$330.00
25	Open Air Burning Permit	\$10.00
26	Open Air Burning Inspection Request	\$120.00
27	Request for Clearance/Status Letter	\$25.00
28	Family Fireworks Sale Permit - Store	\$150.00
29.	Family Fireworks Sale Permit - Trailer	\$300.00
30.	Re-inspection fee (second re-inspection after compliance date and subsequent re-inspections)	\$50.00

Bill No. 285

CITY OF HAMILTON

BY-LAW NO. 02-285

To Regulate the Sale and Use of Fireworks

WHEREAS the *Municipal Act* authorizes the prohibition and regulation of the sale and use of fireworks ;

AND WHEREAS the Council of the former municipalities comprising the City of Hamilton enacted diverse by-laws to prohibit and regulate the sale and setting off of fireworks within their respective geographic areas;

AND WHEREAS it is in the interest of the people of the new City of Hamilton to standardize the regulations and prohibitions applicable to the sale and use of fireworks.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Interpretation

1.1 In this By-law

- (a) “child” means a person who is under 18 years of age;
- (b) “City” means the City of Hamilton;
- (c) “Chief of Police” means the Chief of Police for the City;
- (d) “display fireworks” means high-hazard fireworks for recreation, including firecrackers, that are classed under Class 7, Division 2,

Subdivision 2 under the *Explosives Act*, R.S.C. 1985, c. E-17, as amended, and the *Explosives Regulations* under that Act, and includes but is not limited to the classes of fireworks known within the firework industry as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons;

- (e) “family fireworks” means low hazard fireworks for recreation that are classed under Class 7, Division 2, Subdivision 1 of the *Explosives Act*, R.S.C. 1985, c. E-17 as the *Explosives Regulations* under that Act, and includes but is not limited to fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers, and other similar devices, but does not include Christmas crackers and paper caps containing not more than twenty-five one-hundredths of a grain of explosive;
- (f) “Family Fireworks Sales Permit” means a permit as issued in accordance with section 8;
- (g) “Fire Chief” means the City’s Director of Emergency Services;
- (h) “firecracker” means a pyrotechnic device that is designed to explode after being ignited without subsequent display or simultaneous visible effect, but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares, or marine rockets;
- (i) “Fire Department” means the Hamilton Emergency Services-Fire;
- (j) “General Manager” means the General Manager of Community Services;
- (k) “magazine” means magazine as defined in the *Explosives Act*, R.S.C. 1985, c. E-17;
- (l) “motor vehicle” means motor vehicle as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8;

- (m) “Permit” means permission to hold a fireworks display granted by the City issued under this By-law;
- (n) “Pyrotechnics” means pyrotechnics as described in the *Pyrotechnics Special Effects Manual* issued by the Explosives Regulatory Division of Natural Resources Canada;
- (o) “public display” means every setting off or other display of family fireworks or display fireworks except for a display within the scope of section 6.1, and for the sake of greater certainty but without limiting the generality of the foregoing, includes any display that is open to
 - (i) the general public;
 - (ii) persons who have purchased tickets to attend the display or a related event; or
 - (iii) members of the organization sponsoring the display or a related event;
- (p) “offer for sale” includes the display of goods as an invitation to treat;
- (q) “owner” means the person having effective control over or apparent possession of property or the relevant portion thereof, or where that person cannot be determined, the registered owner of that property, and for the purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property;
- (r) “prohibited fireworks” means firecrackers, and also those types of fireworks more particularly described in Schedule “A” hereto annexed;
- (s) “property” means any public or private land, building, structure or other real property within the City;

- (t) “retail sale” means a sale for the purpose of consumption or use and not for resale;
- (u) “set off” includes any method of detonating or igniting a firework;
- (v) “shop” means a building or part of a building, booth, stall or place where goods are exposed or offered for sale.
- (w) “trailer” means an enclosed vehicle designed so that it may be attached to or drawn by a motor vehicle, and intended for the transport of goods, but does not include,
 - (i) such a vehicle if attached to a motor vehicle; or
 - (ii) a farm trailer.

1.2 In this By-law,

- (a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;
- (b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;
- (c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution therefor or amendment thereof;
- (d) the headings to each section are inserted for convenience of reference only and do not form part of the By-law;
- (e) words and abbreviations which have well-known technical or trade meanings are used in the By-law in accordance with those recognized meanings; and
- (f) where an officer of the City is named, or a reference is made to an office of the City, that reference shall be deemed to include a reference to the

designate of that person, as appointed in accordance with policies and procedures of the City in force from time to time.

2. Ban Against Possession or Use of Firecrackers and Prohibited Fireworks

- 2.1 No person within the City shall possess, offer for sale, cause or permit to be sold, or sell any firecrackers or other prohibited fireworks.
- 2.2 No person within the City shall discharge, fire, set off or cause, or permit to be discharged, fired or set off any firecrackers or other prohibited fireworks.
- 2.3 The prohibition against the possession of firecrackers under subsection 2.1 does not apply with respect to firecrackers that are within the City solely as a result of their being in transit while being transported by a railway, airline, trucking company or other public carrier.

3. Sale and Possession of Family Fireworks, etc.

- 3.1 No person shall offer for sale, cause or permit to be sold, sell or otherwise distribute family fireworks unless the vendor has obtained a Family Fireworks Sales Permit under this By-law and,
 - (a) the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or its successor;
 - (b) the fireworks are displayed in individual lots that do not exceed 25 kilograms in gross weight;
 - (c) the fireworks are displayed in a package, glass case or other suitable receptacle away from inflammable goods; and
 - (d) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat.
- 3.2 No person shall offer for sale, cause or permit to be sold, or sell family fireworks from an outdoor stand, tent, unenclosed trailer, or motor vehicle.

4. Trailer Sales

- 4.1 A vendor applying for a Family Fireworks Sales Permit to sell family fireworks from a trailer shall provide to the City the written permission of the owner of the land on which the trailer is to be parked, together with that application.
- 4.2 A Family Fireworks Sales Permit granted for the sale of family fireworks from a trailer is valid only for the sale location specified in that permit.
- 4.3 A person selling family fireworks sold from a trailer shall comply with the guidelines set by the Fire Chief with respect to the sale location for which the permit has been granted.

5. Display of Fireworks for Sale

- 5.1 Fireworks displayed in any shop window shall be mock samples only that contain no explosive compound.
- 5.2 No person who offers for sale any family fireworks shall, at any time, keep or permit the keeping of any family fireworks in any location in a shop or trailer unless the location is designated and posted as a “no-smoking” area.
- 5.3 No person shall offer for sale, cause or permit to be sold, or sell family fireworks except on Victoria Day, Canada Day, and during the seven day period immediately preceding each of those days.
- 5.4 No person shall offer for sale, cause or permit to be sold, or sell family fireworks to any person who is or who appears to be under the age of eighteen years.
- 5.5 No person storing family fireworks for sale shall store them except as permitted under the *Explosives Act*.

6. Use of Family Fireworks

- 6.1 Subject to subsection 6.2, no person shall set off family fireworks except on Victoria Day and Canada Day and the two days immediately preceding and following each of those days.

- 6.2 A person who has obtained a Permit to set off a public display of family fireworks as provided in this section may set off such fireworks on the day specified in that permit.
- 6.3 No child shall set off any fireworks, other than a sparkler where the child is under the supervision of an adult at all times.
- 6.4 No parent, guardian or person standing in the place of a parent with respect to a child shall permit that child to set off any firework, other than a sparkler where the child is under the supervision of an adult at all times.
- 6.5 No person shall set off family fireworks on any land of which he or she is not the owner, without obtaining the prior written permission of the owner to do so.
- 6.6 No person shall set off family fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.
- 6.7 No person shall store, handle or set off family fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of fireworks.
- 6.8 A person who stores fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.
- 6.9 No person shall hold a public display of family fireworks without a permit issued under this By-law.

7. Display Fireworks

- 7.1 No person shall sell or otherwise distribute, offer for sale, cause or permit to be sold, or possess for the purposes of sale or distribution, any display fireworks unless,
- (a) those fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada) or its successor;
 - (b) the fireworks are kept and maintained in a magazine licensed by the Explosives Branch of the Department of Natural Resources (Canada).

- 7.2 No person shall give, offer for sale, cause or permit to be sold or sell Display fireworks to any person unless that person,
- (a) is at least eighteen years of age;
 - (b) holds a valid Fireworks Supervisor's Card, and
 - (c) holds a valid permit issued by the City of Hamilton,
- 7.3 No person shall set off display fireworks, or advertise that a public display of either display fireworks or family fireworks is to be held within the City, without an appropriate permit issued under section 8.

8. Permits

- 8.1 Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved thereunder as a Display Fireworks Supervisor by the Chief Inspector of Explosives, may apply to the General Manager of Community Services for a permit to set off or hold a display of Display or Family type fireworks.
- 8.2 The fireworks supervisor who is named as the applicant in an application under this By-law shall be present in person at all times during which the fireworks are being set up, set off and cleaned up after the conclusion of the display or other setting off of those fireworks.
- 8.3 Every application for a permit under this section shall be made at least 30 days before the date scheduled for the setting off or holding of the display of display fireworks.
- 8.4 Before issuing a permit under this section, the General Manager of Community Services shall obtain a report from the Chief of Police confirming that there is no record of the applicant having been convicted of criminal offence relating to arson, malicious mischief, malicious destruction of property, or the improper, careless or willful misuse of fireworks or explosives, or a conviction under this by-law or any of its predecessors, during the 10 year period immediately preceding the date of the application.

- 8.5 The General Manager of Community Services shall not issue a permit under this section where it is of the opinion that the proposed site at which the fireworks are to be set off or the display is to be held is not suitable for that purpose.
- 8.6 An applicant for a permit under this section shall provide, together with his or her application,
- (a) such information or consents as is required under this By-law;
 - (b) a fully executed Hamilton Police Services Access to Information waiver authorizing the Chief of Police to disclose information relating to the criminal record of the applicant to the General Manager of Community Services;
 - (c) evidence of insurance on such terms and in such amount as the City's Manager of Risk Management may prescribe from time to time;
 - (d) proof that the applicant has been approved by the Chief Inspector of Fireworks as a Display Fireworks Supervisor;
 - (e) a description of the site to be used for the setting of the display fireworks or family fireworks, as the case may be, sufficient to identify each site for which application is made;
 - (f) such further information as the General Manager of Community Services may reasonably require.
- 8.7 No person shall set off or hold a display of display fireworks at a date, time location or site except,
- (a) on the date and at the time and site specified in the permit; and
 - (b) upon full compliance with all terms and conditions applicable with respect thereto; and
 - (c) where the fireworks are to be set-off on property of which the applicant is not the owner, with the prior written permission of the owner of that property.
- 8.8 A permit issued under this section may be made subject to such terms and conditions as the General Manager of Community Services may consider to be

necessary in the interests of public safety, or to minimize inconvenience to the general public, or advisable in the circumstances or to give effect to the objects of this By-law, and every permit holder shall comply with those terms and conditions.

8.9 Every person to whom a permit is issued under this section shall:

- (a) provide and maintain approved fully operational fire extinguishing equipment ready for immediate use, throughout the time while the display fireworks are being set-off or displayed, and for a reasonable period thereafter, at the location or site of the setting off or holding of a display of display fireworks;
- (b) conform to the provisions of the current issue of the Fireworks Manual as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or any successor publication, for the setting off or holding of a display of display fireworks;
- (c) produce the permit on demand to any police officer or any person authorized to enforce this By-law; and
- (d) permit the inspection of any site where the display fireworks may be stored, set off or displayed, and the display fireworks themselves together with all associated equipment, by anyone authorized to enforce this by-law, forthwith upon demand.

8.10 Every person to whom a permit is issued under this section shall, immediately after the conclusion of the setting off or holding of a display, carry out a site inspection and shall

- (a) remove all unused or partly used display fireworks from the site;
- (b) gather together and remove all debris remaining after use or partial use of the display fireworks, and
- (c) return the site to the condition it was in prior to the setting off or holding of the display.

- 8.11 The grounds on which display fireworks are set off or at which a display of such fireworks is held shall be kept under continual surveillance, by a person eighteen years of age or older, until the final site inspection has been completed by permit-holder identified under section 8.10.
- 8.12 No person shall set off display fireworks,
- (a) into, inside of, or closer than 10 meters to, any building, accessory building or structure, or motor vehicle;
 - (b) within 200 meters of any premises or place where explosives, gasoline or other highly inflammable substances are manufactured, or stored in bulk; or
 - (c) within 200 meters of a hospital, nursing home, home for the aged, church or school unless the consent of the Fire Chief and the owner or authorized representative of that facility has been obtained.
- 8.13 No person shall store, handle or set off display fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of such fireworks.
- 8.14 A person who stores display fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.
- 8.15 Except where a permit has been issued for that purpose under section 8, no person shall set off display fireworks, into, in, or on any highway, street, lane, alley, square or other public place.
- 8.16 A permit issued under this By-law is not transferable.
- 8.17 Where fireworks cannot be set off or displayed on the date provided in a permit, by reason of weather or some other cause that in the opinion of the General Manager of Community Services or the Fire Chief is sufficient, the Fire Chief may direct the issue of a new permit for some other date.
- 8.18 Where any holder of a permit fails or refuses to comply with a term or condition to which the permit is subject, the General Manager of Community Services or

the Fire Chief shall immediately revoke the permit and shall forthwith send a written notice of that revocation to the permit holder.

- 8.19 The General Manager of Community Services may require an applicant for a permit under this By-law to provide such information as the General Manager of Community Services considers necessary or advisable in his or her reasonable judgment to make an informed decision as to whether or not to grant a permit under this By-law, and where that information is not provided in the form and manner required by the Fire Chief, the Fire Department may refuse to issue that permit.

9. Offences

Every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to the penalties specified by Section 61 of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33.

10. Enforcement

- 10.1 The following persons are authorized to enforce this By-law:

- (a) the General Manager of Community Services and every authorized by-law enforcement officer for the City; and
- (b) the Fire Chief, the Chief Fire Prevention Officer, and each member of the Fire Department designated as an Assistant to the Fire Marshall; and
- (c) every police constable.

- 10.2 From time to time, the General Manager of Community Services may approve all such forms as may be contemplated under this By-law, including forms of permit and applications for permit, and an applicant for any permit under this By-law shall use the appropriate form of application and provide all information required thereon.

11. Pyrotechnics

11.1 No person, other than a person who holds a current and appropriate level of certificate for the type, size, number and location of the pyrotechnic materials in question for the type of pyrotechnic materials being used, shall

(a) have in his or her custody or control, any pyrotechnic materials, unless that person is,

(i) a manufacturer, wholesaler or retailer of such materials who holds all requisite licenses to act in that capacity, and the materials in question are in that person's custody solely in connection with that business; or

(ii) lawfully carrying the pyrotechnic materials in transit through the City, whether as a public carrier or as an employee of a person described in sub-clause (i); or

(b) perform or carry out any pyrotechnic display, special effects, event, exhibition or operation.

11.2 Every pyrotechnic display, special effects, event, exhibition or operation carried out in the City shall be performed or carried out safely, in accordance with

(a) prevailing best practice in the pyrotechnic trade, and

(b) the specifications, recommendations or requirements, as the case may be, set down in the Pyrotechnics Special Effects Manual as issued and updated from time to time by the Explosives Regulatory Division of Natural Resources Canada.

11.3 For the purposes of this section, "certificate" means a current certificate issued by or under the authority of Natural Resources Canada.

12. Miscellaneous

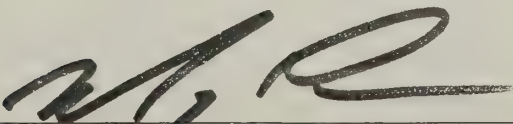
12.1 The following By-laws regulating the sale and display of fireworks and usage of pyrotechnics are repealed:

- (a) By-law No. 79-128, of the former City of Hamilton;
- (b) By-law No. 90-198 of the former City of Hamilton;
- (c) By-law No. 3811-93 of the former City of Stoney Creek;
- (d) By-law No. 95-30 of the former Town of Ancaster,
and all amendments thereto.

12.2 This by-law comes into force and effect on the date of its passing and enactment.

12.3 This by-law may be cited as the *Fireworks By-law*.

PASSED and ENACTED this 9th day of October, 2002 .


A/MAYOR - Murray Ferguson


CLERK

SCHEDULE "A"

Prohibited Fireworks

COMMODITY	DESCRIPTION
Cigarette loads or plugs	Small explosive charges designed for insertion in cigarettes or cigars which will cause them to explode after the victim takes a few pulls.
Exploding matches	Resemble ordinary book matches and are designed to explode after a certain delay, usually about the time they are in position to light a cigarette.
Sparkling matches	Also resemble the normal book matches but send out a shower of sparks.
Ammunition for miniature tie clip, cufflink or key chain pistols	A violent type of blank ammunition made up for use as a novelty.
Auto alarms or jokers	Supposedly designed as burglar alarms but are really for a practical joke; when wired to the ignition system of a car they operate with a loud screeching whistle followed by copious emission of smoke and a loud explosion.
"Cherry" bombs, M-80 and silver salutes and flash crackers	Very violent firecrackers which annually cause serious injuries; they are considered far too violent and contain an excessive charge of a prohibited fireworks composition.
Throw-down and step-on torpedoes, and cracking balls	Small objects designed to explode on impact; some of the latter are so shaped and coloured as to look like children's breakfast cereal or candy balls.
Exploding golf balls	Designed to explode and emits a cloud of smoke on impact.
Stink bombs and smoke bombs	Often made to resemble cherry bombs and salutes; are used for practical jokes (also prohibited from importation under Memorandum D33-1 Importation of Offensive Weapons).
Tear gas pens and launchers	Resemble a pen, may contain a mechanism activated by an explosive, and are supposedly for protection against muggers, but are more commonly used as offensive weapons or as practical jokes (also prohibited under Memorandum D33-1).
Party poppers and	Designed to project paper streamers or dispense party favours.

table bombs	The smaller ones are made of coloured plastic, shaped like champagne bottles.
Table rockets and bottle skyrockets	Small fireworks designed to be launched from a table or a bottle and bursting in a shower of sparks or a cloud of smoke.
Fake firecrackers and other trick devices or practical jokes	Any article which employs or stimulates an explosive or a pyrotechnic for a trick or a joke.

Authority: Item 2 , Hearings Sub-Committee
Report 02-29 (PD02167)
CM: September 18, 2002

Bill No. 286

CITY OF HAMILTON

BY-LAW NO. 02-286

**To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located on Part of Lot 5, Block 3, Concession 4
and Block 43 of Registered Plan 62M-933
Owned by Rob-Geoff Properties Limited**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exemptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1993.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "H", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the site-specific Residential Multiple "RM2-157" Zone to the modified site-specific Residential Multiple "RM3-157(A)" Zone, the land comprised in Block 1, the extent and boundaries of which Block 1 are shown on a plan hereto annexed as Schedule "A".

2. That the Residential Multiple "RM3-157(A)" Zone regulations of Section 44, "Exemptions to the Provisions of this By-law", of Zoning By-law No. 464, applicable to Blocks 1 and 2 of Schedule "A", be modified as follows:

(1) That Subsection (a)(i), "Permitted Uses", be deleted and replaced with the following:

"(i) block townhouse dwellings and semi-detached dwellings";

(2) That Subsection (b), "General Regulations Pertaining to Townhouses", be revised as follows:

That the title "General Regulations Pertaining to Townhouses" be deleted and replaced with "General Regulations For Block Townhouse Dwellings and Semi-Detached Dwellings";

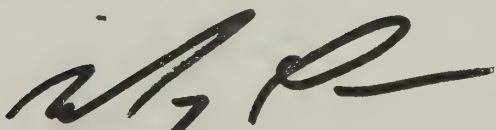
That the title of Subsection (vi), "Minimum Separation Distances Between Blocks of Townhouse Dwelling Units", be deleted and replaced with "Minimum Separation Distances Between Buildings";

That Subsection (vi)(C) be deleted and replaced with the following:

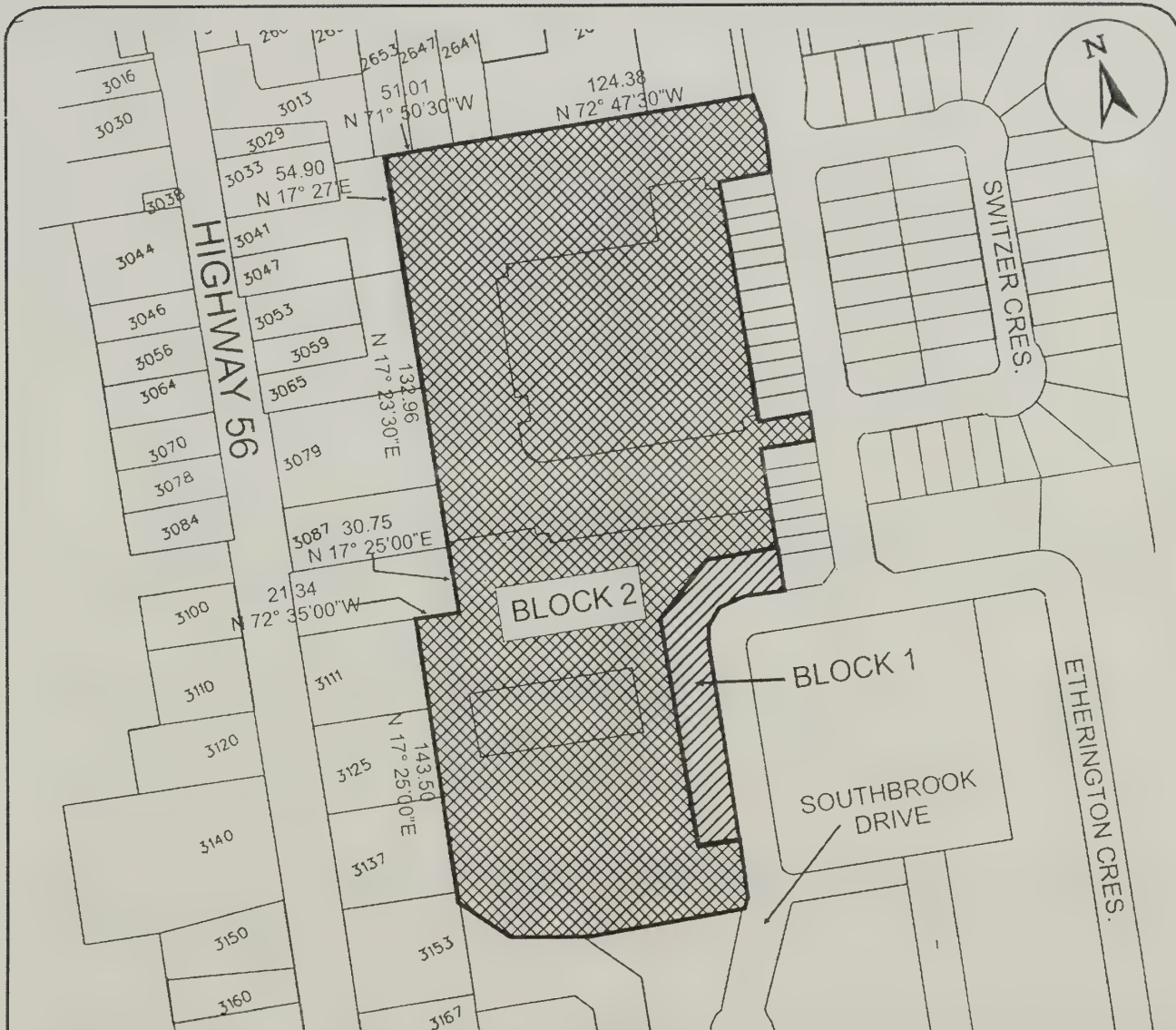
"(C) 14.5 metres (47.5 feet) between two (2) exterior walls, each of which contains at least one (1) window to a habitable room."

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

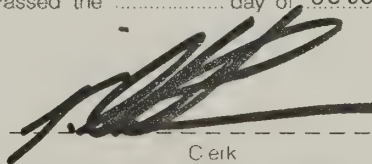
PASSED and ENACTED this 9th day of October, 2002.

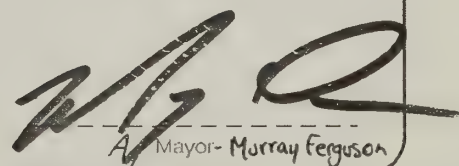

A/ MAYOR - Murray Ferguson


CLERK



This is Schedule "A" to By-Law No. 02-286
 Passed the 9th day of October, 2002.


 Clerk


 Mayor- Murray Ferguson

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-286

to Amend By-Law No. 3692-92

Planning and Development Department

Legend

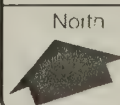


Change in Zoning

Block 1-From the site - specific Residential Multiple "RM2-157" Zone to the modified site - specific Residential Multiple "RM3-157(A)" Zone



Block 2-From the site - specific Residential Multiple "RM3-157(A)" Zone to the modified site - specific Residential Multiple "RM3-157(A)" Zone



North

Scale
 NOT TO SCALE

Date
 October 1, 2002

Reference File No.
 ZAC-02-48

Drawn By
 CL

Bill No. 287

CITY OF HAMILTON

BY-LAW NO. 02-287

To Adopt Amendments to The Downtown Hamilton Community Improvement Plan

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-140, as amended to adopt the Downtown Hamilton Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of its respective Community Improvement Project Area;

AND WHEREAS the lands which were the subject of this by-law are, as of January 1st, 2001 within the jurisdiction of the City of Hamilton, a new municipality incorporated effective January 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, schedule C);

AND WHEREAS pursuant to the City of Hamilton Act, 1999, the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton Wentworth, and in the place of the former area municipality, The Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton, as the successor municipality, in respect of the said By-laws is entitled to the benefit of the said By-laws and is entitled to amend such By-laws in accordance with the provisions of the community improvement Part of the Planning Act;

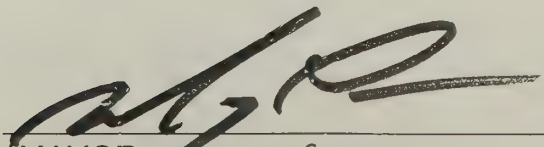
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The provisions of the Enterprise Zone – Municipal Realty Incentive Grant Program portion of the Downtown Hamilton Community Improvement Plan contained in By-Law 97-140 are hereby amended by adding the following text to the program criteria:

"A limited assignment of the grant under the terms of the Program may be made from a developer to the initial purchaser of each condominium unit within development projects jointly funded by the City under the terms of the Downtown Hamilton Residential Loan Program. The assignment of the grant shall not apply to any subsequent re-sale of any such unit. The assigned grant shall be restricted to the balance of the five year term running from the re-assessment date following the date of the registration of the condominium, and should be equal to 100% of the municipal realty tax increase resulting from the development or re-development of the property, calculated on a ratable per unit basis. An administration fee of \$300, or such fee as approved by City Council from time to time, shall be charged in order to qualify for the right of assignment, which fee shall be payable at the time of the registration of the condominium."

2. Any reference in By-law No. 97-140, as amended, to The Corporation of the City of Hamilton shall mean and refer to the City of Hamilton.
3. The City Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing,
 - (a) for approval, as required by subsection 28(4) of the Planning Act, of this by-law adopting the said amendment to the Community Improvement Plan;
 - (b) for approval, as required by subsection 28(8) of the community improvement provisions of the Planning Act, to be granted to the City by the Minister to permit the City to offer the grants as provided for in the said Community Improvement Plan contained in By-Law 97-140, as amended by this amending By-law, that would otherwise be bonuses prohibited by subsection 111(1) of the Municipal Act.
4. This By-law shall come into force and effect on the date of the approval of the Minister of Municipal Affairs and is valid and binding.

PASSED and ENACTED this 9th day of October, 2002 .


A/MAYOR - Murray Ferguson


CLERK

Bill No. 288

CITY OF HAMILTON

BY-LAW NO. 02-288

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 120 and 126 Catharine Street South**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3 of Report 02-029 of the Hearing Sub Committee at its meeting held on the 25th day of September, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

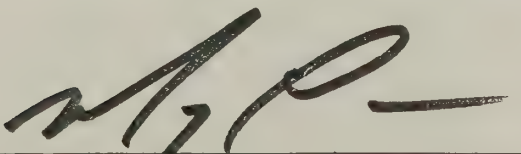
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

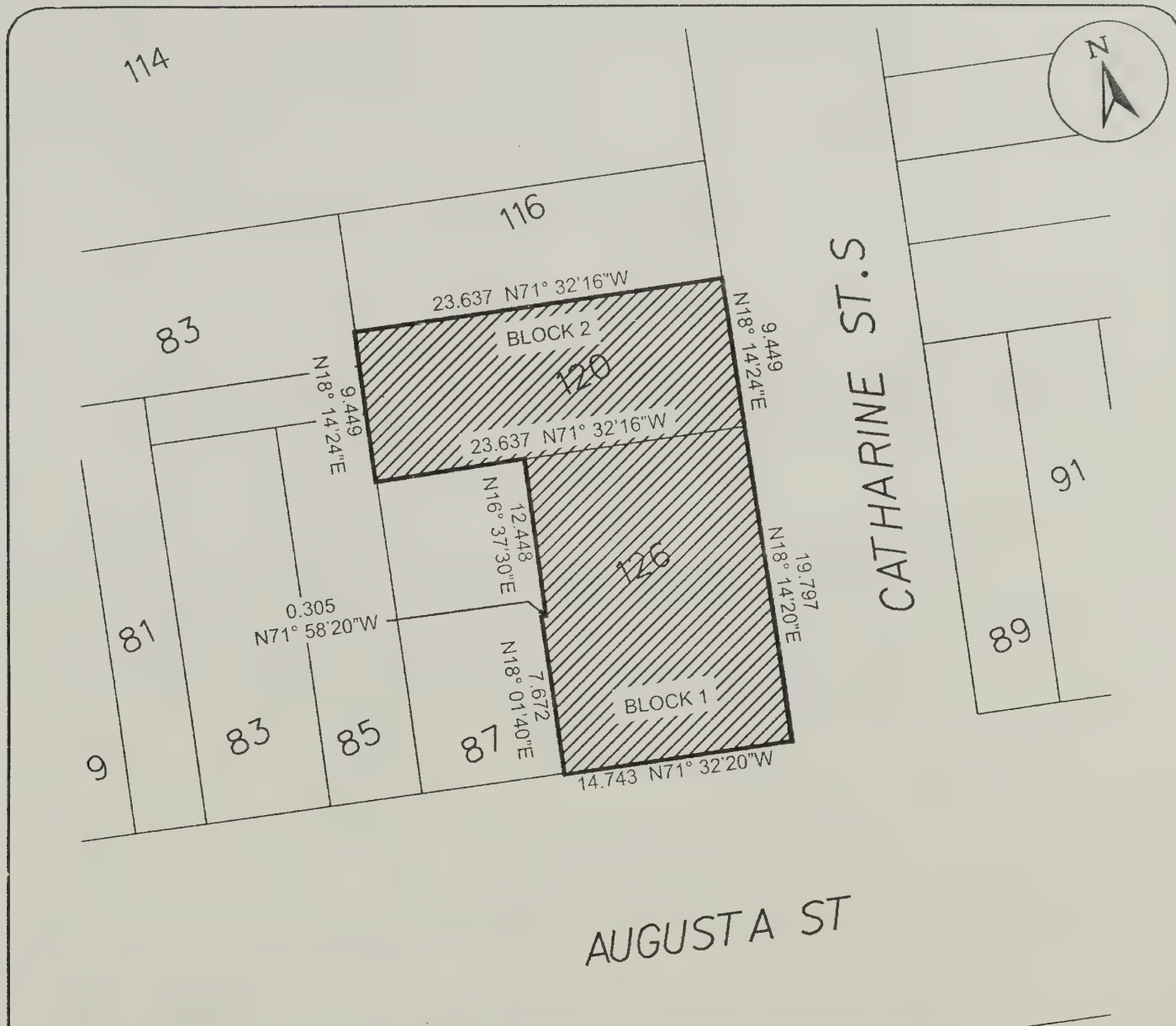
1. The "E-3" (High Density Multiple Dwellings) District provisions, as contained in Section 11C of Zoning By-law No. 6593, applicable to Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that:

- (a) The parking area located on Block "2" is to be used in conjunction with the existing building located on Block "1".
2. The "E-3" (High Density Multiple Dwellings) District provisions, as contained in Section 11C of Zoning By-law No. 6593, applicable to Blocks "1" and "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:
- (a) Notwithstanding Section 18A.(11)(a) of Zoning By-law No. 6593, the boundary of every parking area containing five (5) or more parking spaces located on the surface of a lot adjoining a residential use shall be fixed not less than 1.5 metres from any adjoining residential use;
- (b) Notwithstanding Section 11C.(5) of Zoning By-law No. 6593, a minimum 1.5 metre wide planting strip and a visual barrier not less than 1.2 metres in height and not greater than 2.0 metres in height, shall be provided and maintained along the boundary of a lot abutting a residential use; and,
- (c) Where any parking space or manoeuvring space is adjacent to a street line, a minimum 2.5 metre wide landscaped strip shall be provided and maintained except for the area used for access driveways,
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" (High Density Multiple Dwellings) District provisions, subject to the special requirements referred to in section 1 and 2.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-524a.
5. Sheet No. E-5 of the District Maps is amended by marking the lands referred in Section 1 and 2 of this by-law as S-524a.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

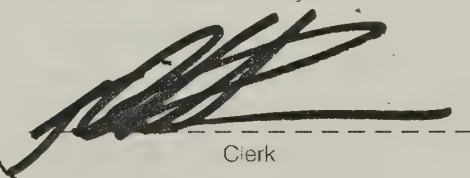
PASSED and ENACTED this 9th day of October, 2002.

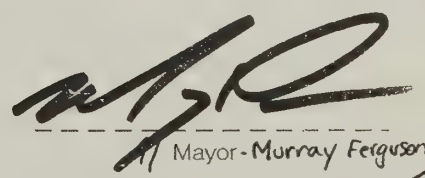

A/ MAYOR - Murray Ferguson


CLERK



This is Schedule "A" to By-Law No. 02-288.....
 Passed the 9th day of October, 2002.


 Clerk


 Mayor - Murray Ferguson

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02-288

to Amend By-Law No. 6593

Planning and Development Department

Legend



BLOCKS "1" and "2"

120 and 126 Catharine Street South
 Further Modification to the Established
 "E-3" (High Density Multiple Dwellings)
 District

North 	Scale NOT TO SCALE Date October 2, 2002	Reference File No. ZAR-02-42 Drawn By CL
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Bill No. 289

CITY OF HAMILTON

BY-LAW NO. 02-289

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands Located on Part of Lot 7, Concession 1, Barton Street
Owned by DeSantis Group Inc.**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to establish special requirements under Subsection 9.5.7 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - (a) by changing from the General Industrial Holding "MG(H)" Zone to the Site Specific General Industrial Holding "MG-10(H)" Zone, the lands comprised of Block "1", and
 - (b) by changing from the Small Scale Industrial Holding "MS(H)" Zone to the Small Scale Industrial "MS" Zone, the lands comprised of Block "2";

the extent and boundaries of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

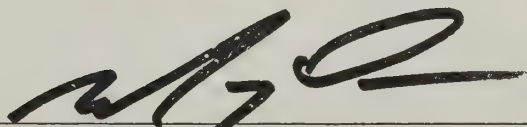
2. That Subsection 9.5.7, "Special Exemptions", of Section 9.5, General Industrial "MG" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "MG-10(H)", as follows:

"In addition to the uses permitted in Section 9.5.2 of the General Industrial "MG" Zone, on those lands zoned "MG-10" by this By-law, the following uses may also be permitted: bakeries, banks or financial establishments, equipment rental and servicing establishments, machine shops, motor vehicle parts and accessory sales, printing establishments, sample showrooms, service and repair shops, and storage establishments.

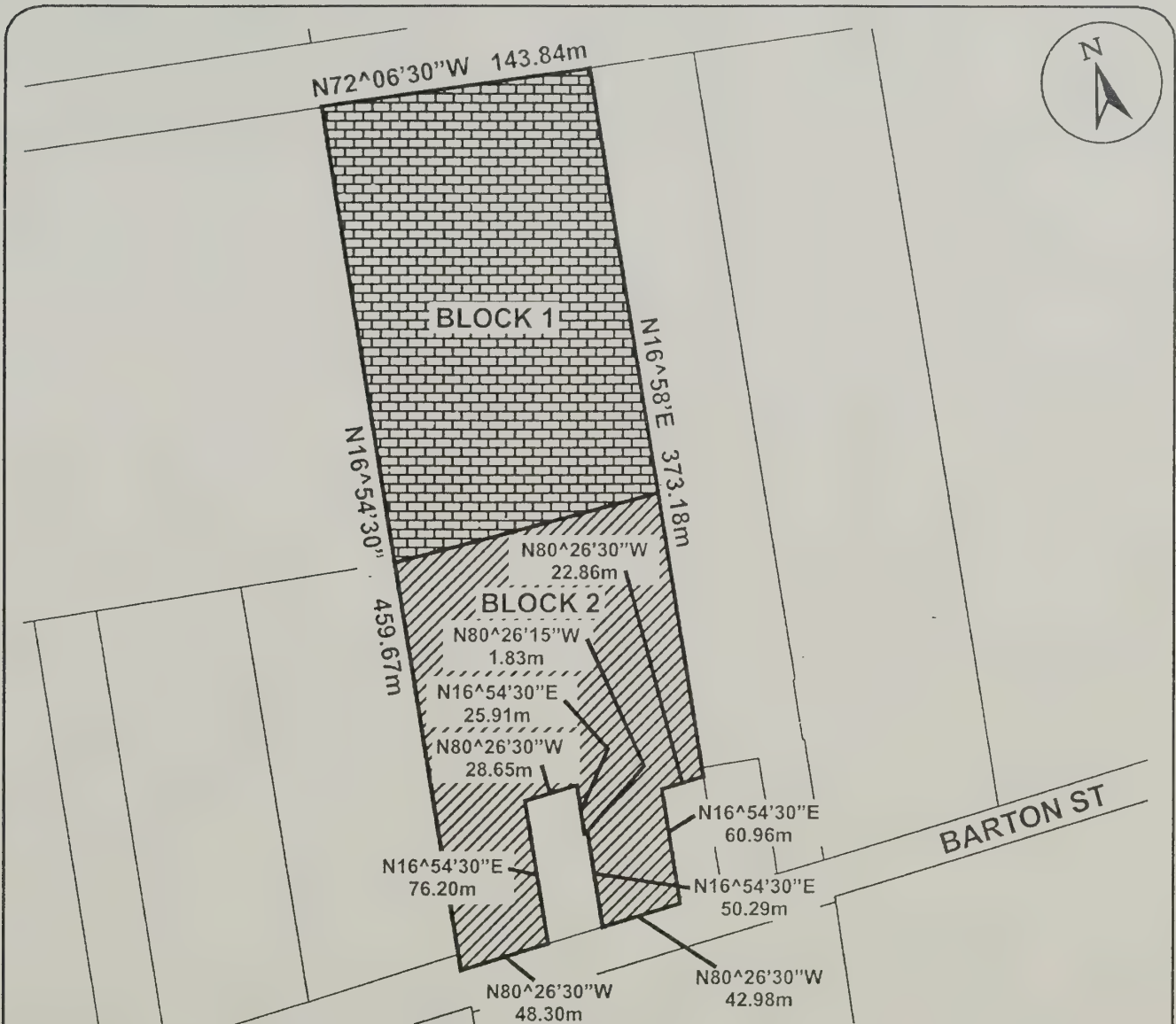
The "H" symbol may be removed from those lands zoned "MG-10(H)" by this By-law, only for the area outside of the floodplain, at such time as the owner has determined the extent of the flood plain to the satisfaction of the Hamilton Conservation Authority."

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

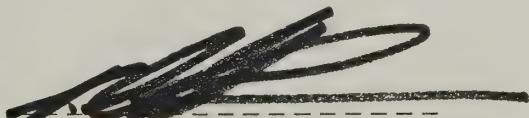
PASSED and ENACTED this 9th day of October, 2002.

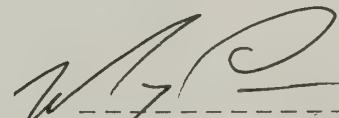

A/MAYOR - Murray Ferguson


CLERK



This is Schedule "A" to By-Law No. 02 - 289
 Passed the 9th day of October, 2002.


 Clerk


 Acting Mayor Murray Ferguson

City of Hamilton

Schedule "A"

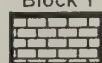
Map Forming Part of
 By-Law No. 02- 289

to Amend By-Law No. 3692-92

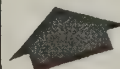
Planning and Development Department

Legend

Change in Zoning:

- Block 1
 From General Industrial Holding "MG(H)" Zone to the Site Specific General Industrial Holding "MG-10(H)" Zone
- Block 2
 From the Small Scale Industrial Holding "MS(H)" Zone to the Small Scale Industrial "MS" Zone

North



Scale
 NOT TO SCALE

Date
 Sept. 30, 2002

Reference File No.
 ZAC-02-35

Drawn By
 MC

Bill No. 290

CITY OF HAMILTON

BY-LAW NO. 02-290

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 209 Limeridge Road East**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 4 of Report 02-029 of the Hearing Sub Committee at its meeting held on the 25th day of September, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

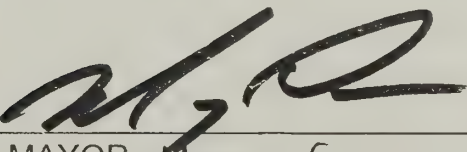
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, Etc.) District provisions, as contained in Section 13 of Zoning By-law No. 6593, as amended by By-law No. 84-34 and By-law No. 92-209, applicable to the subject lands, are amended to the extent only of the special requirement that:

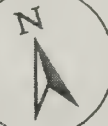
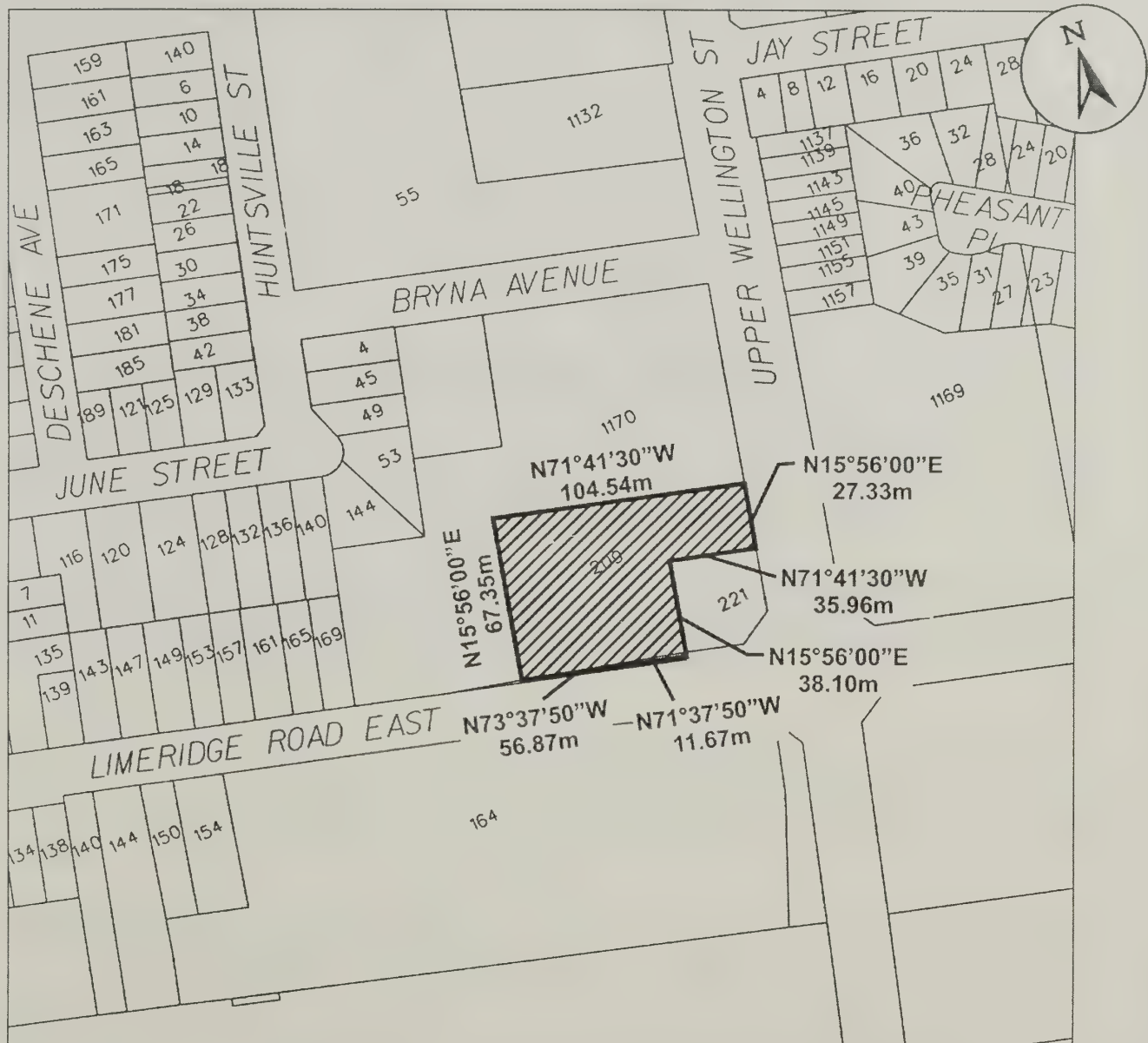
(a) Notwithstanding Section 2(a)(ii) of By-law No. 84-34, as amended by By-law No. 92-209, the following use is also permitted:

- 1) Commercial School.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" (Neighbourhood Shopping Centre, Etc.) District provisions, subject to the special requirements referred to in section 1.
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-852b.
4. Sheet No. E-9A of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-852b.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 9th day of October, 2002.

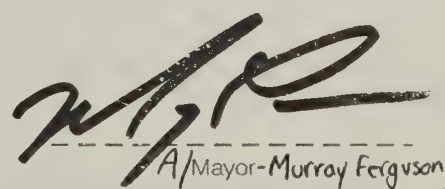

A/ MAYOR - Murray Ferguson


CLERK



This is Schedule "A" to By-Law No. 02 - 290
 Passed the 9th day of October, 2002.


 Clerk


 A/Mayor-Murray Ferguson

City of Hamilton

Schedule "A"

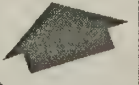
Map Forming Part of
 By-Law No. 02- 290

to Amend By-Law No. 6593

Planning and Development Department

Legend

 **Subject Property**
 209 Limeridge Road East
 Further Modification to the Established
 "G" (Neighbourhood Shopping
 Centre, etc.) District

North 	Scale NOT TO SCALE Date October 2, 2002	Reference File No. ZAR-02-45 Drawn By LM
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Bill No. 291

CITY OF HAMILTON

BY-LAW NO. 02-291

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 1590 Main Street West**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 4 of Report 02-016 of the Hearings Sub Committee at its meeting held on the 8 day of May, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (i) by changing from "H" (Community Shopping and Commercial, etc.) District to "H" – 'H' (Community Shopping and Commercial, etc. - Holding) District,

the lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A".

2. The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon

- (i) That the applicant/owner has submitted a signed Record of Site Condition (RSC) to the Ministry of Environment (MOE). This RSC must be to the satisfaction of the General Manager, Planning and Development Department, including acknowledgement of receipt of the RSC from the Ministry of Environment;

The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "H" (Restricted Community Shopping and Commercial, etc.) District provisions, as amended by the special requirements of Section 3.

3. That "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14. of Zoning By-law No. 6593 (Hamilton) respectively, applicable to the subject lands, the boundary of which are shown on a plan annexed as Schedule "A", be modified to the extent of the following special requirements that,

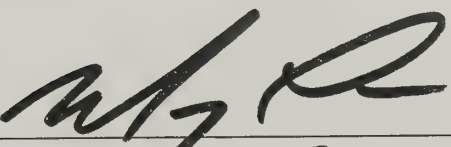
- (i) Notwithstanding Section 14.(1) of Zoning By-law No. 6593, a Multiple Dwelling containing a maximum of ten (10) "Class A dwelling units" shall be permitted;
- (ii) Notwithstanding Section 14.(2) of Zoning By-law No. 6593, the height of any building, structure, or portion of any building or structure, shall not exceed a height of three (3) storeys and 11.0m;
- (iii) Notwithstanding Section 14.(3) of Zoning By-law No. 6593, the following yards shall be provided and maintained;
- (a) a minimum rear yard of 3.16m; and,
- (b) a minimum westerly side yard of 8.5m;
- (iv) Section 18A (1)(c), of Zoning By-law No. 6593, shall not apply;

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1475.

6. Sheet No. W-46 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1475
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 9th day of October, 2002 .



4/ MAYOR - Murray Ferguson

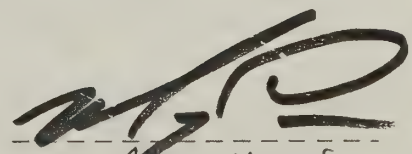


CLERK



This is Schedule "A" to By-Law No. 02 - 291
Passed the 9th day of October, 2002.


Clerk


Mayor-Murray Ferguson

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02- 291

to Amend By-Law No. 6593

Planning and Development Department

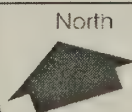
Legend



Subject Property

1590 Main Street West

Change in Zoning from "H" (Community Shopping and Commercial, etc.) District to "H"-H' (Community Shopping and Commercial, etc. - Holding) District, modified



North

Scale
NOT TO SCALE

Date
September 23, 2002

Reference File No.
ZAC-02-16

Drawn By
LM

Bill No. 292

CITY OF HAMILTON

BY-LAW NO. 02-292

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 124 MacNab Street North
Owned by Sarygiah Amath**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 2 of Report 01-020 of the Hearings Sub Committee at its meeting held on the 22 day of August, 2001, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

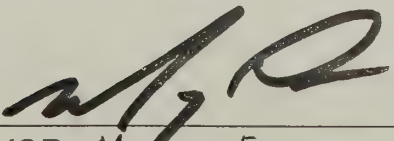
1. Sheet No. W-4 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "L-c" (Planned Commercial) District to "H" (Community Shopping and Commercial, etc.) District,

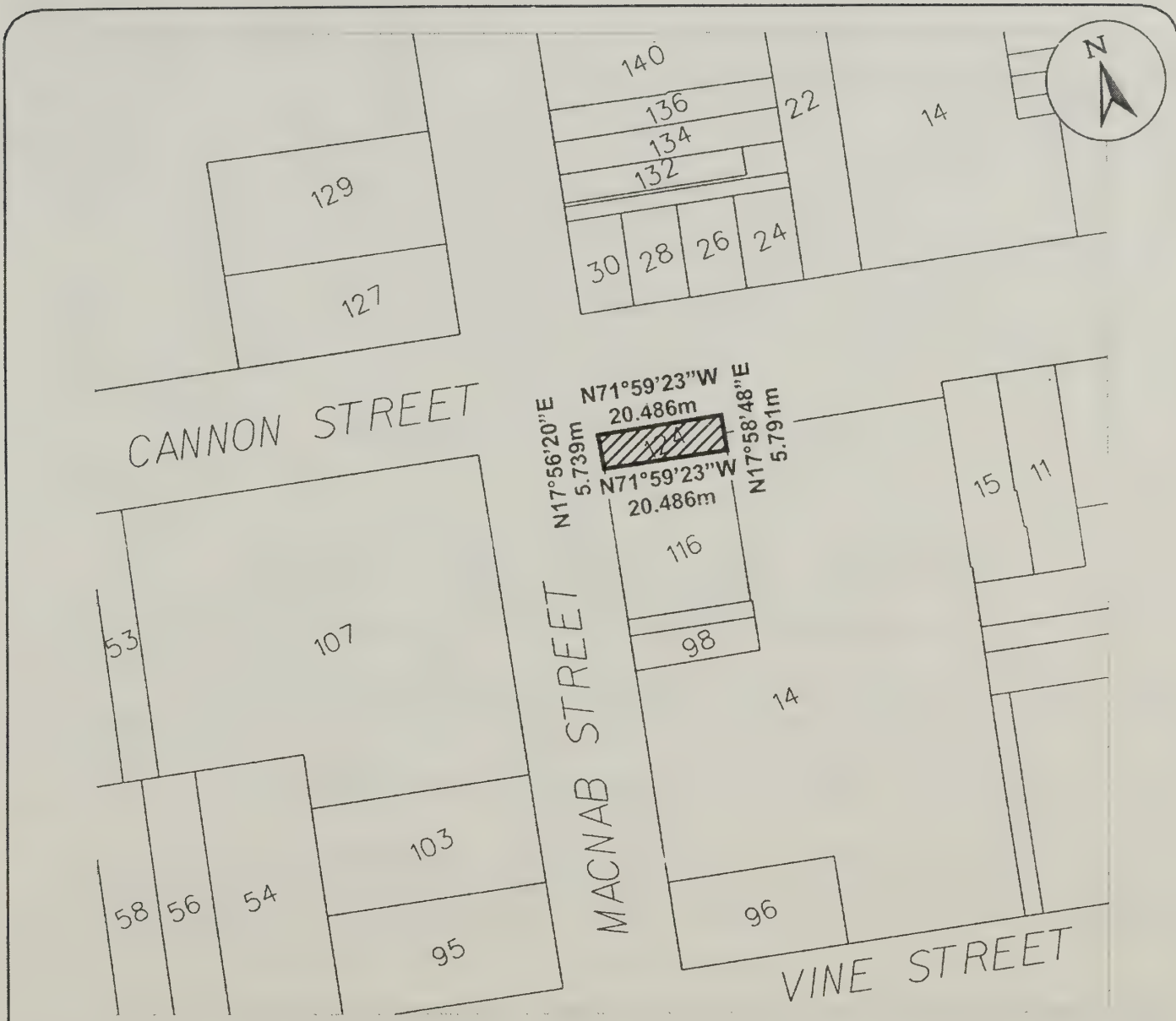
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
- (a) notwithstanding Section 14. (1)(viii) and 14.(1)(xvi) of Zoning By-law 6593, only two (2) business identification wall signs having a combined aggregate area of not more than 7.0m² shall be permitted;
 - (b) notwithstanding Section 14. (1)(iiia) of Zoning By-law No. 6593, the second floor residential unit, existing on the date of the passing of this by-law, shall be permitted; and,
 - (c) Commercial Uses shall only be permitted on the ground floor of the existing building.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in Section 2.
4. By-law No. 6593 is amended by adding this by-law to Section 19B. as Schedule S-1470.
5. Sheet No. W-4 of the District Maps is amended by marking the subject lands, S-1470.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

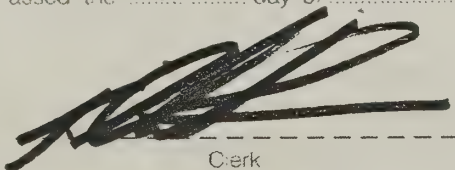
PASSED and ENACTED this 9th day of October, 2002.

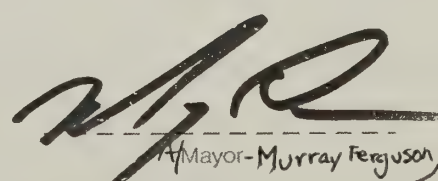

A/MAYOR - Murray Ferguson


CLERK



This is Schedule "A" to By-Law No. 02 - 292
 Passed the 9th day of October, 2002.


 Clerk


 Mayor - Murray Ferguson

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02- 292

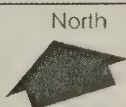
to Amend By-Law No. 6593

Planning and Development Department

Legend



Subject Property
 124 MacNab Street North



North

Scale
 NOT TO SCALE

Date
 August 29, 2002

Reference File No.
 ZAC-00-32

Drawn By
 LM

City of Hamilton

BY-LAW No. 02-293

To Extend City of Hamilton By-law No. 01-250

Respecting:

THE EXEMPTION OF LANDS FROM PART LOT CONTROL
WITHIN A PORTION OF
"MEADOWBROOK MANORS PHASE 2" — PLAN 62M-881

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

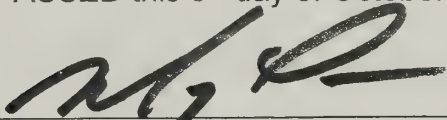
AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsections 1.0 and 2.0 of City of Hamilton By-law No. 01-250 are hereby repealed and the following substituted therefor:
 - "1.0 Other than Lots 17, 47, 49 and 51, Registered Plan Number 62M-881 "Meadowbrook Manors Phase 2", this By-law shall no longer be of any force and effect.
 - 2.0 As it relates to Lots 17, 47, 49 and 51, Registered Plan Number 62M-881, this By-law expires on November 1, 2004."
2. In all other respects, City of Hamilton By-law No. 01-250, is hereby confirmed, unchanged.

Where this by-law has been enacted it shall be registered on title to the land and shall come into force and effect on the date of such registration.

PASSED this 9th day of October, 2002.


A/ MAYOR- Murray Ferguson


CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 02- 294

To Confirm the Proceedings of City Council at its meeting held on October 9, 2002

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

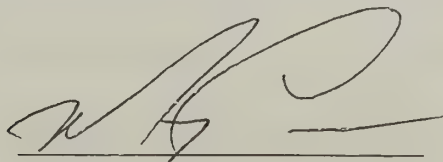
1. The Action of City Council at its meeting held on the 9th day of October, 2002 in respect of each recommendation contained in:

Report 02-033 of the Committee of the Whole,
Report 02-034 of the Committee of the Whole,
Report 02-031 of the Hearings Sub-Committee,
Report 02-032 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 9th day of October, 2002


MAYOR - Murray Ferguson


CITY CLERK

Bill No. 295

CITY OF HAMILTON

BY-LAW NO. 02-295

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1269 Upper James Street**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3 of Report 02-026 of the Hearing Sub Committee at its meeting held on the 14th day of August, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

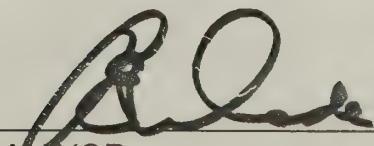
- (a) by changing from "C" (Urban Protected Residential, Etc.) District to "HH" – 'H' (Restricted Community Shopping and Commercial - Holding) District the lands comprised in Block "1"; and,
- (b) by changing from "AA" (Agricultural) District to "HH" – 'H' (Restricted Community Shopping and Commercial - Holding) District the lands comprised in Block "2",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
 - 1) the owner or applicant applying for and receiving final approval of a Site Plan Control Application, incorporating all appropriate site improvements, as identified in the Urban Design Guidelines for the Upper James Street Corridor (Jerome Section), to the satisfaction of the Director of Development, Planning and Development Department; and,
 - 2) land assembly having occurred whereby the subject property has been merged, in title, with the lands to the south, to the satisfaction of the Director of Development, Planning and Development Department.
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "HH" (Restricted Community Shopping and Commercial) District provisions.
- 3. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to Block "1" and Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:
 - (a) Notwithstanding Section 14A.(3)(a) of Zoning By-law No. 6593, a front yard depth of at least twenty-four (24) metres shall be provided and maintained;
 - (b) A minimum 6.0 metre wide landscaped planting strip shall be provided and maintained along the entire easterly lot line of the "HH" (Restricted Community Shopping and Commercial) District, where it abuts a residential district;

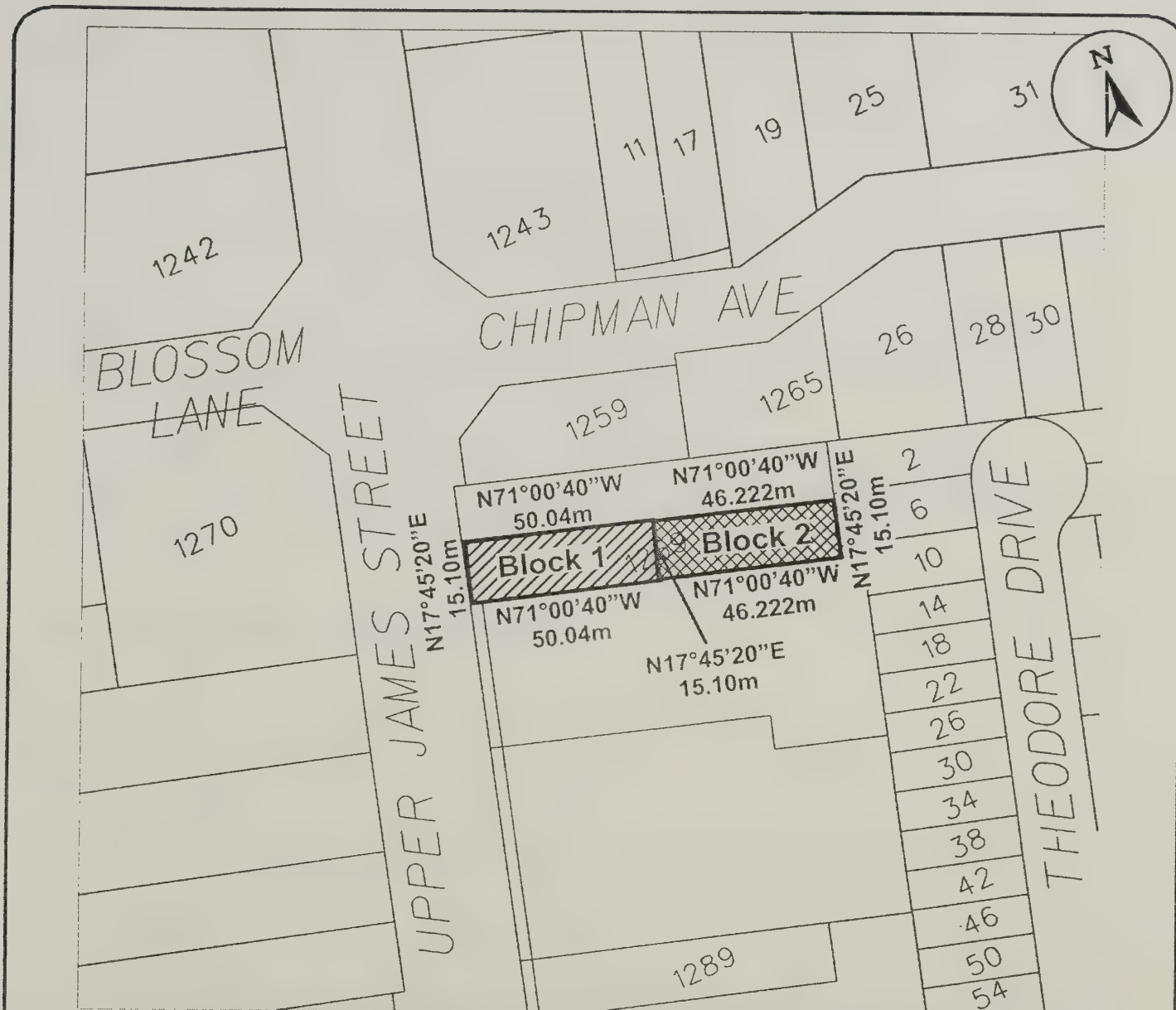
- (c) A visual barrier not less than 1.2 metres in height and not greater than 2.0 metres in height shall be provided and maintained along the entire easterly lot line of the "HH" (Restricted Community Shopping and Commercial) District, where it abuts a residential district;
 - (d) A minimum 3.0 metre wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access; and,
 - (e) Section 14A.(7)(a) and Section 18A.(12)(a) of Zoning By-law No. 6593 shall not apply.
- 4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" (Restricted Community Shopping and Commercial) District provisions, subject to the special requirements referred to in section 3.
 - 5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1474.
 - 6. Sheet No. E-9C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1474.
 - 7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 23rd day of October, 2002.

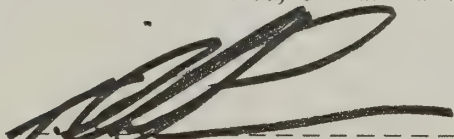


MAYOR

CLERK



This is Schedule "A" to By-Law No. 02 - 295
Passed the 23rd day of October, 2002


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02-295

to Amend By-Law No. 6593

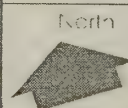
Planning and Development Department

Subject Property

1269 Upper James Street
(former Hamilton)

Block 1  Change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District, Modified.

Block 2  Change in zoning from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District, Modified.



Scale
NOT TO SCALE

Date
October 3, 2002

Reference File No.
ZAC-02-36

Drawn By
LM

Bill No. 296

CLERK

Bill No. 297

**CITY OF HAMILTON
BY-LAW NO. 02-297
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Park Row Northbound and Southbound Maple"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 23rd day of October, 2002



MAYOR



CLERK

City of Hamilton

BY-LAW No. 02-298

Respecting:

Removal of Part Lot Control
Block 68 – Plan 62M-896, “Tiffany Park Subdivision”

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Block 68 into 2 parcels, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Block 68, Plan 62M-896, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: November 1, 2004.

PASSED this 23rd day of October 2002.



MAYOR



CITY CLERK

Authority: Item 2, Hearings Sub-Committee
Report 02-031 (PD02176)
CM: October 9, 2002

Bill No. 299

CITY OF HAMILTON

BY-LAW NO. 02-299

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 685 Brock Road (Flamborough)
Owned by Flamboro Quarries Limited**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A-10" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing from Extractive Industrial "EI" Zone to Agriculture "A" Zone those lands located within Part of Lot 6, Concession 4, Reference Plan 62R4925, geographic township of Flamborough, more particularly shown on Schedule "A" which forms part of this By-law.

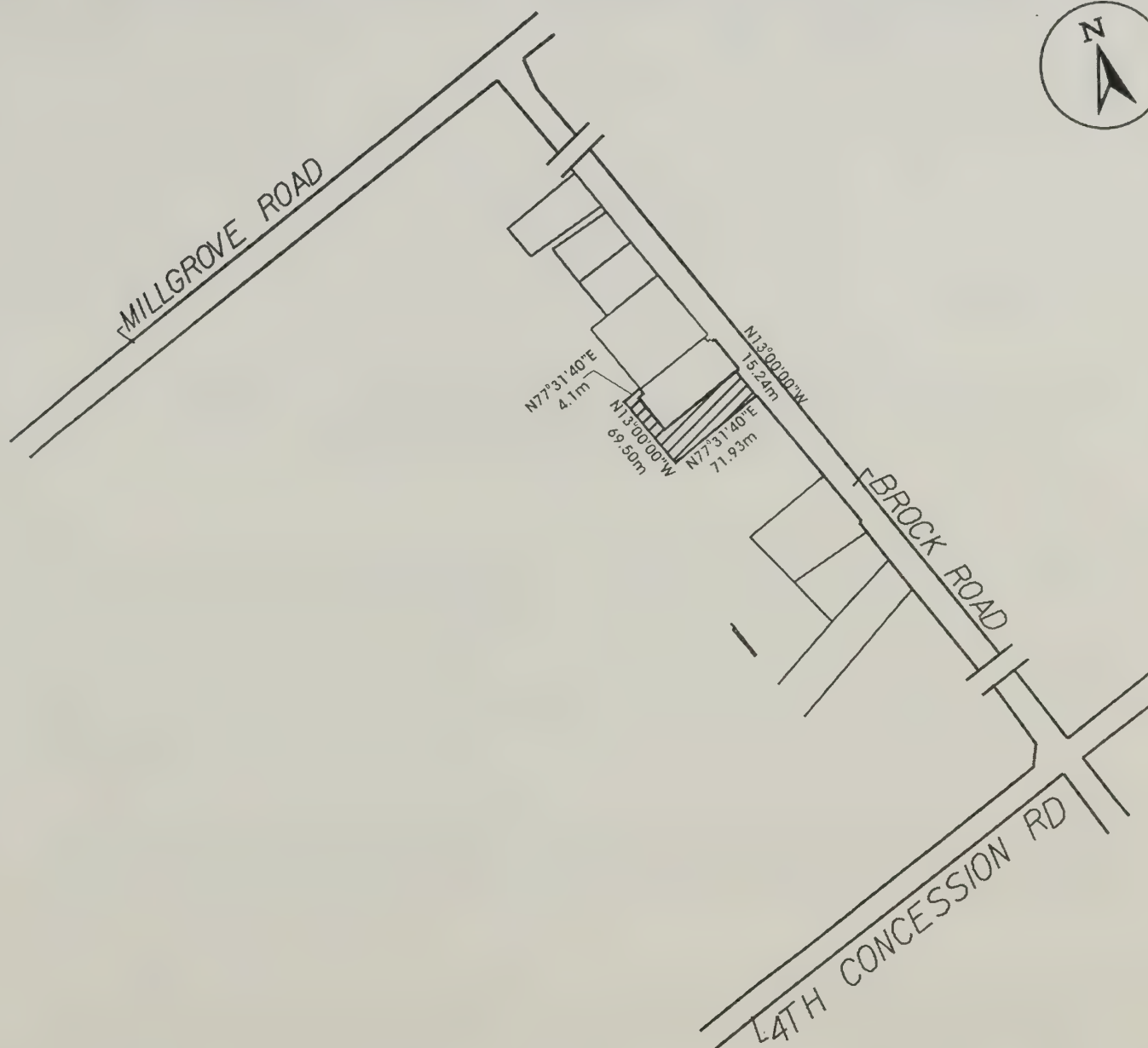
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 23rd day of October, 2002 .

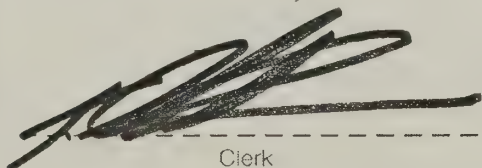


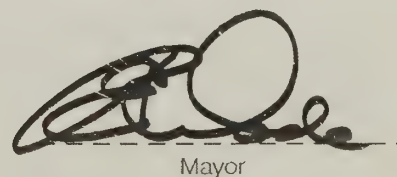
MAYOR

CLERK



This is Schedule "A" to By-Law No. 02 -...299.....
Passed the 23rd day of October, 2002.


Clerk


Mayor

Schedule "A"

Map Forming Part of
By-Law No. 02- 299
to Amend By-Law No. 90-145-Z



Hamilton

Planning and Development Department

Legend



Subject Property
685 Brock Road- Change in zoning
from an Extractive Industrial "EI" Zone
to an Agricultural "A" Zone



Scale
NOT TO SCALE

Date
October 18, 2002

Reference File No.
ZAR-02-59

Drawn By
NM

Bill No. 300

CITY OF HAMILTON

BY-LAW NO. 02-300

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1151 Stone Church Road East
Owned by 528299 Ontario Incorporated**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3 of Report 02-031 of the Hearing Sub Committee at its meeting held on the 9th day of October, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

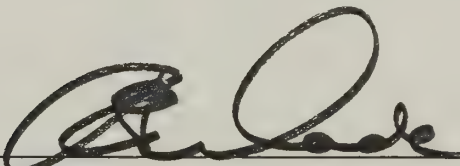
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District regulations, as contained in Section 17E of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 17E.(1) of Zoning By-law No. 6593, the following additional uses shall be permitted:
 - 1) Retail Stores Selling:
 - a) Household Furniture, Appliances and Furnishings, except furniture finishing and repair; and,
 - b) Hardware, Paint, Wallpaper and Glass;
 - 2) Automotive Parts and Accessories Store;
 - 3) Real Estate Operators and Insurance Agent Industries;
 - 4) Offices for Lawyers, Notaries;
 - 5) Management Consulting Services;
 - 6) Caterers including banquet facilities;
 - 7) Laundries and Cleaners, except distributors and/or agents for dry cleaners, self serve laundries and/or dry cleaners, and valet services, pressing and/or repairing;
 - 8) Other Personal Household Services;
 - 9) Automobile Truck Rental and Leasing Services;
 - 10) Cabinet Makers; and,
 - 11) Sausage Products industry, including ancillary retail not exceeding twenty-five percent (25%) of the gross floor area of the building;
- (ii) That Section 17E. (2)(i) of By-law No. 6593 shall not apply;

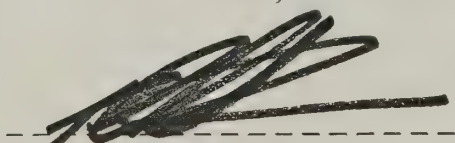
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" (Prestige Industrial) District provisions, subject to the special requirements referred to in section 1.
3. That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1476, and that the subject lands on Zoning District Map E-59C be noted as S-1476.
4. Sheet No. E-59C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1476.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

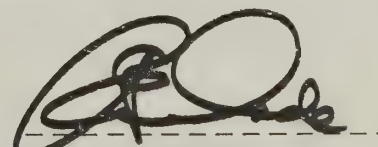
PASSED and ENACTED this 23rd day of October, 2002.


MAYOR
CLERK



This is Schedule "A" to By-Law No. 02 - 300.....
Passed the 23rd day of October, 2002.


Clerk


Mayor

Schedule "A"

Map Forming Part of
By-Law No. 02-300
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend



Subject Property
1151 Stone Church Road East
Change in Zoning from an
established "M-13" (Prestige Industrial)
District to a Modified "M-13/S-1476"
(Prestige Industrial) District



Scale
NOT TO SCALE

Date
October 18, 2002

Reference File No.
ZAC-02-56

Drawn By
CL

Authority: Item 4, Hearings Sub-Committee
Report: 02-031 (PD02196)
CM: October 9, 2002

Bill No. 301

CITY OF HAMILTON

BY-LAW NO. 02-301

To Adopt:

Official Plan Amendment No. 88 to the Former Town of Flamborough Official Plan;

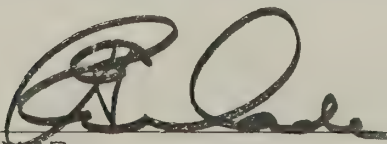
Respecting:

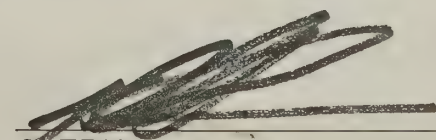
1153 Regional Road 97

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 88 to the Official Plan of the former Town of Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 23rd day of October, 2002


MAYOR


CLERK

Amendment No. 88
to the
Official Plan for the former Town of Flamborough

The following text together with Schedule "B" – Rural Land Use Concept, attached hereto, constitute Official Plan Amendment No. 88.

Purpose:

The purpose of this Amendment is to re-designate a property located at No. 1153 Regional Road No. 97 Road to a site specific Agricultural designation to permit a kennel.

Location:

The lands affected by this Amendment are located at No. 1153 Regional Road No. 97.

Basis:

The basis for permitting the proposed change is as follows:

1. The proposed kennel would not remove prime agricultural lands from production;
2. The proposed kennel is innocuous and there are no identified nuisances or incompatibilities with neighbouring properties; and,
3. The proposed kennel would not impact the adjacent Environmentally Sensitive Area (Beverly Swamp).

Actual Changes:

- 1) Schedule "B" be revised by re-designating the subject property as Site Specific Area #50 as shown on Schedule "B" to this Amendment.
- 2) Amend section B.2.12 AGRICULTURE – SITE SPECIFIC AREAS to create a new policy B.2.12.10 as follows:

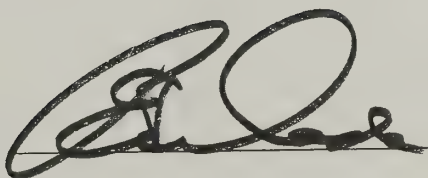
"The lands shown on Schedule "B" as Agriculture – Site Specific Area #50, which consist of 19 hectares (49 acres), are permitted a kennel use."

Implementation:

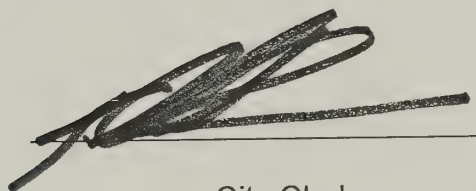
A Zoning By-Law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 02- 301, passed on the 23rd day of October 2002.

The
City of Hamilton

A handwritten signature in dark ink, consisting of a large, stylized 'M' followed by a series of loops and a trailing flourish.

Mayor

A handwritten signature in dark ink, featuring a series of sharp, angular strokes and a long, horizontal trailing line.

City Clerk

Legend
Redesignate from Agricultural to
Site Specific Agricultural

Date:
October 2002
Revised By:
Al Fletcher
Reference File No.
OPA 88 (H)



TOWN OF FLAMBOROUGH RURAL LAND USE PLAN Schedule B (To the Official

LEGEND Land Use Designations

- Rural
- Agriculture
- Rural Residential Estate Development
- Rural Industrial
- Extractive Industrial
- Highway Commercial-Rural
- Open Space and Recreation
- Rural Industrial Park
- Portborough Niagara Escarpment Boundary
- Parkway Belt West Port Boundary
- Urban Area Boundary

NOTE:
This is an official map.
It is subject to the provisions of the
Official Map Act and Regulations.



Authority: Item 4 Hearings Sub-Committee
Report 02-031 (PD02196)
CM: October 9, 2002

Bill No. 302

CITY OF HAMILTON

BY-LAW NO. 02-302

To Amend:

Zoning By-law No. 90-145-Z (Flamborough),

Respecting:

LANDS LOCATED AT 1153 REGIONAL ROAD NO. 97

Owned by Tracey Jarrett and Wendy Awrey
(former Town of Flamborough)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough), approved by the Minister under the Planning Act on September 27th, 1988, as amended by Official Plan

Amendment No. 88 proposed by the Corporation of the City of Hamilton, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A-14" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing the zoning of the lands that are located at 1153 Regional Road No. 97 from Agricultural "A" Zone to the Site-Specific Agricultural "A-73" Zone for lands comprising 19 hectares (49 acres) located within Part of Lot 35, Concession 9, (Former Town of Flamborough) more particularly shown on Schedule "A" which forms part of this By-law.

Section 33.3 - Agricultural "A" Zone is hereby amended by adding the following subsection:

33.3 EXCEPTION NUMBERS

33.3.73 'A-73' (see Schedule A-14)

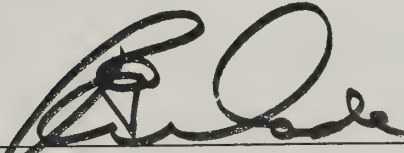
Permitted Uses

- (a) Any use permitted in the Agricultural "A" Zone
- (b) A kennel shall be permitted, of which the boarding area shall be located within the existing dwelling and which shall not exceed 97.5 square metres in area.

Zone Provisions

- (a) The provisions of Section 33.3.1 (I) shall apply to the development of a kennel.
 - (b) Setback from the Conservation Management "CM" Zone - Any expansions to the dwelling for the kennel operation shall be setback a minimum distance of one-hundred and twenty (120) metres.
4. All other regulations of Section 33 Agricultural "A" Zone and Section 5, General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
 5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 23rd day of October, 2002 .



MAYOR

CLERK



This is Schedule "A" to By-Law No. 02-302.....
 Passed the 23rd day of October 2002.

[Signature]
 Clerk

[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 02-302
 to Amend By-Law No. 90-145-2



Planning and Development Department
 Hamilton

Legend

- Subject Property**
 1153 Regional Road 97
- Change in Zoning from Agricultural "A" Zone to Site-Specific Agricultural "A-73" Zone to permit a kennel
 - Lands to Remain in Conservation Management "CM" Zone



Scale
 NOT TO SCALE

Date
 October 17, 2002

Reference File No.
 ZAC-02-53

Drawn By
 L.M.M.

Authority: Item 3, Committee of the Whole
Report 02-035 (PD02208)
CM: October 23, 2002

Bill No. 303

CITY OF HAMILTON

BY-LAW NO. 02-303

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
As Amended by By-law No. 4951-99
Respecting Lands Located at 369-377 Highway No. 8,
Owned by Adorn Investments Ltd.**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was amended by By-law No. 4951-99 on the 22nd day of June, 1999, to rezone land located at 369-377 Highway No. 8 from the Small Scale Institutional "IS" Zone to the General Commercial Holding "GC-46(H)" Zone, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 4951-99 and forming part thereof, which By-law came into force on the day it was passed, in accordance with the Planning Act;

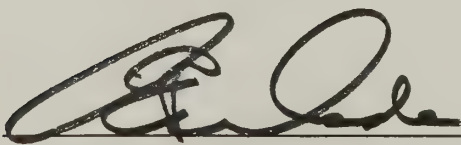
AND WHEREAS the owner has satisfied all of the conditions to remove the Holding (H) symbol;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

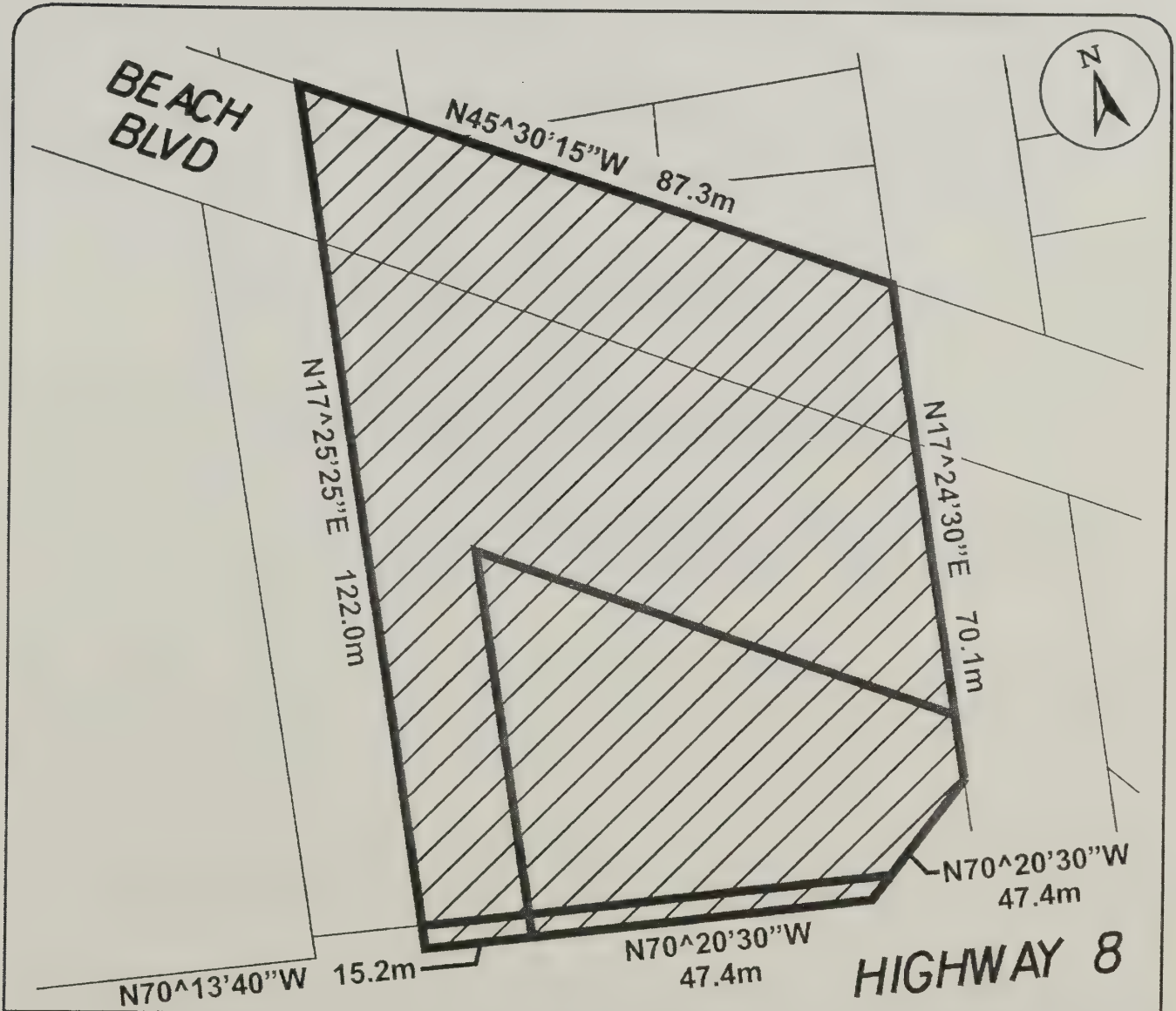
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "H" (Holding) symbol affixed by By-law No. 4951-99, passed on the 22nd day of June, 1999, to the General Commercial Holding "GC-46(H)" Zone of the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 4951-99 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the General Commercial "GC-46" Zone provisions of Zoning By-law No. 3692-92.
2. Zoning Map No. 6 of Schedule "A" of Zoning By-law No. 3692-92, as amended by Section 1 of By-law No. 4951-99, is further amended by changing from the General Commercial Holding "GC-46(H)" Zone to the General Commercial "GC-46" Zone, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. In all other respects, By-law No. 4951-99 is hereby confirmed, unchanged.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 23rd day of October, 2002.

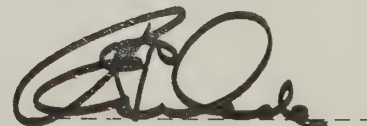

MAYOR


CLERK



This is Schedule "A" to By-Law No. 02 - 303
 Passed the 23rd day of October, 2002.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 02- 303

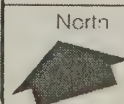
to Amend By-Law No. 3692-92

Planning and Development Department

Legend



Subject Property
 369-377 Highway No. 8
 Change in Zoning from "GC-46(H)"
 (General Commercial Holding) Zone
 to "GC-46" (General Commercial) Zone



North

Scale
 NOT TO SCALE

Date
 Sept. 27, 2002

Reference File No.
 ZAR-02-65

Drawn By
 MC

Bill No. 304

CITY OF HAMILTON

BY-LAW NO. 02-304

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 77 Limeridge Road West**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 1 of Report 02-029 of the Hearing Sub Committee at its meeting held on the 18th day of September, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-9a of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

(a) by changing from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, etc. - Holding) District,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
 - 1) the owner or applicant submitting and receiving draft plan approval of a plan of subdivision to the satisfaction of the Director of Development, Planning and Development Department.
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" District provisions.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1477.
5. Sheet No. W-9a of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1477.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

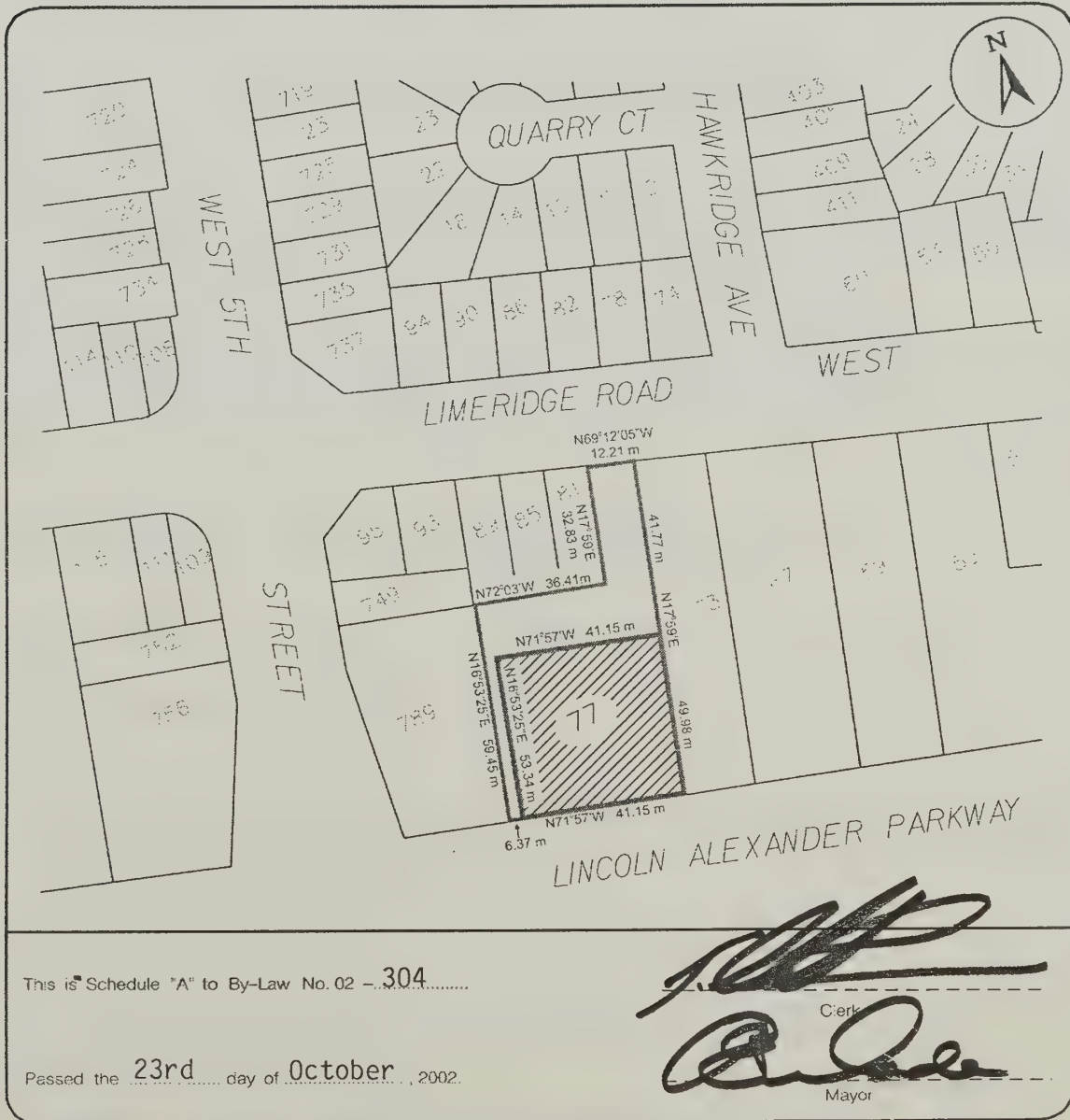
PASSED and ENACTED this 23rd day of October, 2002.



MAYOR

CLERK

A By-law Respecting Lands at 77 Limeridge Road West



Schedule "A"

Map Forming Part of
By-Law No. 02- 304

to Amend By-Law No. 6593



Hamilton

Planning and Development Department

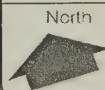
Legend



Subject Property
77 Limeridge Road West



Change in zoning from "AA" (Agricultural) District to "C"-H
(Urban Protected Residential, etc. - Holding) District



North

Scale
NOT TO SCALE

Date
October 17, 2002

Reference File No.
ZAC-02-50

Drawn By
L.M.M.

CITY OF HAMILTON

BY-LAW NO. 02- 305

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by adding to Subsection 1(A) of Section "E" thereof (3 hours at 50¢ per hour) the following item, namely:

"James	East	Main to Jackson"
--------	------	------------------

and by adding to Subsection 2(A) of Section "E" thereof (2 hours at 50¢ per hour) the following items, namely:

"James	East	King to Main
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James	Both	King William to Murray
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John	West	King to King William"
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and by adding to Subsection 2(B) of Section "E" thereof (2 hours at \$1.00 per hour) the following items, namely:

"James	East	Young to Forest
John	West	Hunter to Main"

and by adding to Subsection 3(a) of Section "E" thereof (1 hour at 50¢ per hour) the following items, namely:

"James	Both	Murray to Strachan
John	West	King William to Rebecca"

and by deleting from Subsection 3(a) of Section "E" thereof (1 hour at 50¢ per hour) the following item, namely:

"James	Both	Barton to Murray"
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and by adding to Subsection 3(b) of Section "E" thereof (1 hour at \$1.00 per hour) the following items, namely:

"James	East	Augusta to Young
James	East	Forest to Charlton
John	East	Hunter to Young"

and by adding to Subsection 4(a) of Section "E" thereof (Half hour at 50¢ per hour) the following item, namely:

"James	East	King to King William"
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and by deleting from Subsection 1 of Section "G" thereof (3 hours at 50¢ per hour) the following item, namely:

"James	East	Main to Jackson"
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and by deleting from Subsection 2(a) of Section "G" thereof (2 hours at 50¢ per hour) the following items, namely:

"James	Both	King William to York/Wilson
John	West	King to King William
John	West	Rebecca to Wilson"

and by deleting from Subsection 2(b) of Section "G" thereof (2 hours at \$1.00 per hour) the following items, namely:

"James	East	Young to Forest
James	Both	York/Wilson to Barton
John	West	Hunter to Main"

and by deleting from Subsection 3(a) of Section "G" thereof (1 hour at 50¢ per hour) the following item, namely:

"John	West	King William to Rebecca"
-------	------	--------------------------

and by deleting from Subsection 3(b) of Section "G" thereof (1 hour at \$1.00 per hour) the following items, namely:

"James	East	Augusta to Young
James	East	Forest to Charlton
John	East	100 ft. south of T.H. & B. to Young"

and by deleting from Subsection 4(a) of Section "G" thereof (30 minutes at 25¢ per 30 minutes) the following item, namely:

"James	East	King to King William"
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2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Robinson	Both	Hess to Caroline	3 hr	Anytime	Anyday"
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and by deleting from Section "E" thereof the following item, namely:

"Robinson	Both	Hess to Caroline	3 hr	8 am – 6 pm	Mon - Fri"
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3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

"King St.	South	from 29m west of Ogilvie St. to 20.6m westerly	Anytime
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King St.	North	from the Coach House Hotel driveway to 30.5m westerly	Anytime
King St.	South	Ogilvie St. to Main St.	Anytime
King St.	North	from the east property line of Martino Memorial Parking to 64.9m westerly	Anytime
King St.	South	from 36.9m west of York St. to 10.4m westerly	Anytime
King St.	Both	York St. to Main St.	2:00 a.m. to 6:00 a.m.”

and by adding to Section "E" thereof the following items, namely:

“Avondale	West	Barton to Mons	8:00 am to 12:00 Noon 2 nd Thurs each month April to November
James	East	from 12.8m north of the extended north curb line of Colbourne to 14m northerly	Anytime
James	West	from 46.1m north of Colbourne to 4.5m northerly	Anytime
James	East	from 11.9m south of Rebecca to 11.8m southerly	Anytime
James	East	from 21.6m south of King William to 15.3m southerly	9:00 a.m. to 5:00 p.m. Monday to Friday
James	East	from 30.4m north of Rebecca to 9.1m northerly	7:00 a.m. to 6:00 p.m. Monday to Saturday
James	East	from 28.9m south of Cannon to 13.5m southerly	Anytime
James	East	from 23.1m north of Robert to 9m northerly	Anytime
James	West	from 23m north of Main to 10m northerly	Anytime
James	West	from 8.8m south of Vine to 6.7m southerly	Anytime
James	East	Freeman to 9.1m northerly	Anytime

John	West	Charlton to Haymarket	Anytime
John	East	from 28.1m north of Hunter to 7.6m northerly	Anytime
John	West	from 40.3m north of King to 6.3m northerly	8:00 a.m. to 6:00 p.m. Monday to Saturday
John	East	from 3.3m south of the extended south curb line of Haymarket to 6.6m southerly	Anytime
John	West	Strachan to Burlington	Anytime
Kenilworth	West	from 9.6m south of Hope to 6.8m southerly	Anytime
Kenilworth	Both	Barton to Burlington	Anytime
Kenilworth	West	Dunsmure to Roxborough	Anytime
Kenilworth	West	from 19.2m south of Cannon to 13.4m southerly	Anytime
Kenilworth	West	Newlands to 43m northerly	Anytime
Kenilworth	East	from 26.2m north of Main to 47.2m northerly	Anytime
Kenilworth	Both	King to Lawrence	Anytime
Kenilworth	Both	Normandy to Kenilworth Access	Anytime
Kenilworth	East	from 22.9m south of Main to 41.2m southerly	Anytime
Kenilworth	West	from 41.2m south of Main to 30.5m southerly	Anytime
Kenilworth Access	Both	End to End	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Avondale	West	Barton to northerly end	8 am – 12 Noon 2 nd Thurs each month Apr – Nov
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James	East	Macauley to 60 feet south	Anytime
James	East	Freeman Place to 30 ft. north	Anytime
James	Both	Guise to Northerly End	Anytime
James	West	Wood to 116 ft. north	Anytime
James	East	Burlington to northerly end	Anytime
John	West	100' south of Barton to 200' north of Murray	Anytime
John	West	Murray to Burlington to Murray	Anytime
John	East	Kingsway to 82 ft. north	Anytime"

and by deleting from Section "G" thereof the following items, namely:

"John	West	Barton to 185 feet southerly	2:00 am to 7:00 am December to March
King St.	North	Coach House Hotel Driveway to 100 ft. Westerly	Anytime
King St.	South	Ogilvie St. to Main St.	Anytime
King St.	North	Easterly property line of Martino Memorial Parking to 213 ft. westerly	Anytime
King St.	South	130 ft. west of York St. to 34 ft. westerly	Anytime
King St.	Both	York St. to Main St.	2:00 a.m. to 6:00 a.m."

and by deleting from Section "G(I)" thereof the following items, namely:

"James	East	Wilson to 150' north of Wilson	Anytime
James	West	Colbourne to 54 ft. southerly	Anytime
James	West	Mulberry to 100 ft. north	Anytime
James	East	56 feet north of Vine to 40 feet northerly	Anytime

James	East	42 ft. north of the north curb line of Colbourne to 46 ft. northerly	Anytime
James	West	commencing 150 feet north of Colbourne and Extending 17 feet northerly therefrom	Anytime
James	East	from 23.3m north of Robert to 9.7m northerly	Anytime
James	East	50 ft. south of Young to 20 ft. southerly	Anytime
James	East	Charlton to St. Joseph's Drive	Anytime
James	West	Bold to Herkimer	Anytime
James	East	Main to Hunter	Anytime
John	East	Rebecca to Cannon	Anytime
John	West	Robert to 185 ft. south of Barton	Anytime
John	West	Jackson to Main	Anytime
John	East	Arkledun to Young	Anytime
John	East	Main to King William	Anytime
John	East	134 ft. south of the TH&B tracks to 23 ft. southerly therefrom	Anytime
John	West	Charlton to Haymarket	Anytime
John	West	75' north of Main to 69' northerly	Anytime
Kenilworth	Both	Barton to Burlington	Anytime
Kenilworth	West	Dunsmure to Roxborough	Anytime
Kenilworth	West	commencing 63 feet south of Cannon and Extending 44 feet southerly therefrom	Anytime
Kenilworth	West	Newlands to 141 feet northerly	Anytime
Kenilworth	East	commencing 86 feet north of Main and Extending 155 feet northerly therefrom	Anytime

Kenilworth	Both	King to Lawrence	Anytime
Kenilworth	Both	Normandy to Kenilworth Access	Anytime
Kenilworth Access	Both	End to End	Anytime"

and by deleting from Section "G(II)" thereof the following items, namely:

"James	East	49 feet south of Rebecca to 40 ft. southerly	Anytime
James	East	71 ft. south of King William to 46 ft. southerly	9:00 a.m. to 5:00 p.m. Monday to Friday
James	East	78 ft. north of Rebecca to 30 ft. northerly	7:00 a.m. to 6:00 p.m. Monday to Saturday
James	East	80 ft. south of Cannon to 19 ft. southerly	Anytime
James	East	50 ft. south of Cannon to 50 ft. southerly	Anytime
James	West	83 ft. north of Main to 31 ft. northerly	Anytime
James	West	145 ft. north of north branch of Merrick to 24 ft. north	Anytime
James	East	45 ft. south of Augusta to 40 ft. southerly	Anytime
James	East	34 ft. north of Augusta to 25 ft. northerly	Anytime
John	West	38 ft. south of King William to 33 ft. southerly	7:00 a.m. to 6:00 p.m. Monday to Saturday
John	East	108 ft. north of Hunter to 19 ft. northerly	Anytime
Kenilworth	East	75 ft. south of Main to 135 ft. southerly	Anytime
Kenilworth	West	135 ft. south of Main to 100 ft. southerly	Anytime"

4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following Items, namely:

"Avondale	West	from 36m south of Beechwood to 6m southerly	Anytime
Avondale	East	from 40.5m south of Beechwood to 6m southerly	Anytime
Barton	North	from 32.3m west of Caroline to 6m westerly	Anytime
Emerald	East	from 70m south of Barton to 6.5m southerly	Anytime
John	East	from 22.6m south of Picton to 5m southerly	Anytime
John	East	from 24.7m north of Burlington to 5.2m northerly	Anytime
John	East	from 25.9m north of Strachan to 7.3m northerly	Anytime
Keith	South	from 52.4m west of Douglas to 6.1m westerly	Anytime
Roosevelt	East	from 45.2m south of Beach to 6m southerly	Anytime
Somerset	North	from 145.9m east of Sherman to 5.5m easterly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Caroline	West	from a point 126 feet south of Bold to a point 18 feet southerly therefrom	Anytime
Earl	West	commencing 218 feet south of Princess and extending 22 feet southerly therefrom	Anytime
Ferrie	North	commencing 68 feet west of Ferguson to a point 23 feet westerly	Anytime
John	East	commencing 74 feet south of Picton and extending 17 feet southerly therefrom	Anytime
John	West	commencing 81 feet north of Burlington and extending 17 feet northerly therefrom	Anytime
John	East	commencing 85 feet north of Strachan and extending 24 feet northerly therefrom	Anytime

John	East	commencing 114 feet south of Burlington to a point 22 feet southerly therefrom	Anytime
Keith	North	commencing 162 feet west of Douglas and extending 17 feet westerly therefrom	Anytime
Keith	South	commencing 172 feet west of Douglas and extending 20 feet westerly therefrom	Anytime
Somerset	North	from 145.9m east of Sherman to 5.5m Westerly	Anytime"

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"James	West	York to 33m north of Main	Anytime
James	West	Strachan to 20.9m northerly	Anytime
James	East	Strachan to 16.5m south	Anytime
James	West	Bold to Main	Anytime
James	East	Herkimer to Charlton	Anytime
James	West	Robinson to Duke	Anytime
James	East	from 40.5m north of Main to 19.5m northerly	Anytime
James	East	from 36.2m north of King to 18.6m northerly	Anytime
James	East	from 50.6m north of Wilson to 27.9m northerly	Anytime
James	East	from 64.1m north of Cannon to 58m northerly	Anytime
James	West	Mulberry to 26.3m south	Anytime
James	West	Colbourne to 53.4m south	Anytime

James	West	Colbourne to 46.1m northerly	Anytime
James	East	from 66m south of Barton to 37.5m southerly	Anytime
James	Both	Murray to 21.5m south	Anytime
James	East	Murray to Strachan	Anytime
James	West	from 33.5m north of Murray to Strachan	Anytime
James	West	Macauley to 21.9m south	Anytime
James	East	Macauley to 16.5m south	Anytime
James	West	Wood to 66.9m northerly	Anytime
James	West	Burlington to 21.2m southerly	Anytime
James	East	Bold to Hunter	Anytime
James	East	Jackson to Hunter	4:00 p.m. to 6:00 p.m. Monday to Friday
James	West	King to Wilson	4:00 p.m. to 6:00 p.m. Monday to Friday
James	East	Bold to Herkimer	4:00 p.m. to 6:00 p.m. Monday to Friday
James	West	Bold to Herkimer	12:00 p.m. to 6:00 p.m. Monday to Friday
John	West	Rebecca to Cannon	Anytime
John	East	King William to Rebecca	Anytime
John	West	King William to 63.3m northerly	Anytime
John	West	Forest to 16.6m southerly	Anytime
John	East	Jackson to Main	Anytime
John	West	St. Joseph's Drive to Charlton	Anytime

John	Both	Kingsway to Louisa	Anytime
John	West	Arkledun to 23.2m southerly	Anytime
John	East	Augusta to 12m southerly	Anytime
John	East	Augusta to 12.6m northerly	Anytime
John	Both	Hunter to Haymarket	Anytime
John	East	from 27.4m north of Main to King	Anytime
John	West	Robert to 20.8m southerly	Anytime
John	West	Robert to 17m northerly	Anytime
John	East	Robert to 17m southerly	Anytime
John	Both	Strachan to the northern intersection with Murray	Anytime
John	Both	Simcoe to 73.1m northerly	Anytime
John	East	King to Wilson	7:00 a.m. to 9:00 a.m. Monday to Friday
John	Both	St. Joseph's Drive to Main	7:00 a.m. to 9:00 a.m. Monday to Friday
John	West	Main to King	7:00 a.m. to 9:00 a.m. Monday to Friday
John	Both	St. Joseph's Drive to Main	4:00 p.m. to 6:00 p.m. Monday to Friday
John	West	Main to King	4:00 p.m. to 6:00 p.m. Monday to Friday
John	East	King to Wilson	4:00 p.m. to 6:00 p.m. Monday to Friday
Queensbury	Both	Queen Victoria to 24.5m easterly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"James	East	St. Joseph's Dr. to James Mountain Road	Mon. – Fri. 7:00 am – 9:00 am
James	East	Strachan to 70 feet north	Anytime
James	West	Strachan to 69 feet north	Anytime
James	West	Opposite C.N.R. Road to 200' north of Murray	Anytime
John	East	Picton to 68 feet south	Anytime
John	West	Simcoe to 160 feet north	Anytime
John	East	Simcoe to 151 feet north	Anytime"

and by deleting from Section "G" thereof the following items, namely:

"James	West	Merrick to Main	Anytime
James	West	Merrick to 106 ft. north of Main	Anytime
James	West	Main to 75 ft. north	Anytime
James	East	Robert to 38 ft. north	Anytime
James	East	King to Main	Anytime
James	East	Augusta to 34 ft. north	Anytime
James	West	Bold to 125 ft. north of T.H. & B.	Anytime
James	East	Bold to 123 ft. south of Hunter	Anytime
James	East	St. Joseph's Drive to James Mountain Road	Mon. – Fri. 7:00 am – 9:00 am
James	East	King to Main	Mon. – Fri. 4:00 pm – 6:00 pm
James	East	Wilson to Cannon	Mon. – Fri. 4:00 pm – 6:00 pm
James	West	Wilson to Markland	Mon. – Fri. 4:00 pm – 6:00 pm

James	East	Bold to Herkimer	Mon. – Fri. 4:00 pm – 6:00 pm
James	East	Jackson to Hunter	Mon. – Fri. 4:00 pm – 6:00 pm
James	West	Bold to Herkimer	Mon. – Fri. 12:00 pm – 6:00 pm
James	East	Commencing at a point 75 ft. north of King to a point 33 ft. northerly therefrom	Mon. – Fri. 3:00 pm – 6:00 pm
John	West	Rebecca to Cannon	Anytime
John	East	T.H. & B. Subway to 137 feet southerly	Anytime
John	East	King William to Rebecca	Anytime
John	West	King William to 205 feet northerly	Anytime
John	West	Forest to 54 feet southerly	Anytime
John	East	Jackson to 180 ft. south	Anytime
John	East	Jackson to Main	Anytime
John	West	St. Joseph's Dr. to Charlton	Anytime
John	East	King to Wilson	Mon. – Fri. 7:00 am – 9:00 am
John	East	St. Joseph's to Main	Mon. – Fri. 7:00 am – 9:00 am
John	West	King to Arkledun	Mon. – Fri. 4:00 pm – 6:00 pm
John	East	Arkledun to Main	Mon. – Fri. 4:00 pm – 6:00 pm
John	East	King to Wilson	Mon. – Fri." 4:00 pm – 6:00 pm

6. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"James	West	from 53.4m south of Colbourne to 12.1m southerly	Anytime
James	East	from 7.7m north of Robert to 15.4m northerly	Anytime
James	East	from 15.4m south of the south branch of King to 23.4m southerly	6:00 a.m. to 6:00 p.m. Monday to Friday
James	East	from 32.1m north of Barton to 5.6m northerly	Anytime
James	East	from 21.1m north of Augusta to 10.7m northerly	Anytime
James	East	from 27.2m north of King to 9m northerly	Monday to Saturday"

and by deleting from Section "E" thereof the following item, namely:

"John	East	25 ft.	112 ft. south of T.H. & B. Overpass	Anytime"
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and by deleting from Section "G" thereof the following items, namely:

"James	West	40 ft.	172 ft. south of Colbourne	Anytime
James	East	15.5m	7.8m north of Robert	Anytime
James	East	74 ft.	50 ft. south of the south branch of King	6:00 a.m. - 6:00 p.m. Mon – Fri
James	West	17 ft.	150 ft. north of Colbourne	Anytime
James	East	36 ft.	59 ft. north of Augusta	Anytime
James	East	31 ft.	88 ft. north of King	Anytime"

7. Schedule 16 (Taxi Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"James	East	from 11.9m south of Rebecca to 11.8m southerly	6:00 p.m. to 2:00 a.m.
James	East	from 15.4m south of the south branch of King to 23.4m southerly	6:00 p.m. to 6:00 a.m. Monday to Friday and all day on Saturday and Sunday
John	East	from 15.2m north of Main to 12.2m northerly	10:00 p.m. to 2:00 a.m."

and by deleting from Section "G" thereof the following items, namely:

"James	East	40 ft. 49 feet south of Rebecca	6:00 p.m. - 2:00 a.m.
James	East	74 ft. 50 ft. south of the south branch of King	6:00 p.m. to 6:00 a.m. Monday to Friday and all day on Saturday and Sunday
John	East	52 ft. 50 ft. north of Main	10:00 p.m. to 2:00 a.m." 7 days a week

8. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Queensbury	South	from 71.6m west of Upper Ottawa to 47m westerly	7:00 a.m. to 6:00 p.m." Monday to Saturday
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and by deleting from Section "E" thereof the following item, namely:

"Queensbury	South	196 feet commencing at a point 258 feet west of Upper Ottawa	7:00 a.m. to 6:00 p.m." Monday to Saturday
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9. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

10. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 23rd day of October, 2002.



Mayor

City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 02- 306

To Confirm the Proceedings of City Council at its meeting held on October 23, 2002

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

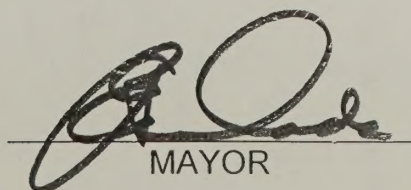
1. The Action of City Council at its meeting held on the 23rd day of October, 2002 in respect of each recommendation contained in:

Report 02-035 of the Committee of the Whole,
Report 02-036 of the Committee of the Whole,
Report 02-033 of the Hearings Sub-Committee,
Report 02-034 of the Hearings Sub-Committee,
Report 02-010 of the Grants Sub-Committee,
Report 02-011 of the Grants Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 23rd day of October, 2002



MAYOR



CITY CLERK

THE CITY OF HONOLULU

OFFICE OF THE CITY CLERK

THE CITY OF HONOLULU, HAWAII, BEING THE CITY CLERK'S OFFICE

THE CITY OF HONOLULU
OFFICE OF THE CITY CLERK
HONOLULU, HAWAII

THE CITY OF HONOLULU, HAWAII, BEING THE CITY CLERK'S OFFICE
OFFICE OF THE CITY CLERK
HONOLULU, HAWAII

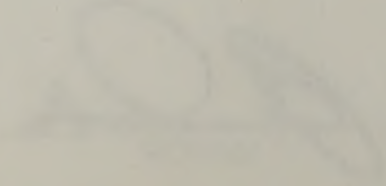
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OFFICE OF THE CITY CLERK
HONOLULU, HAWAII

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